

MONDAY, APRIL 14, 2014

SIXTY-FOURTH LEGISLATIVE DAY

The House met at 1:00 p.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Pastor Quintin R. Smith, Historical First Baptist Church, Millington, TN.

Representative Miller led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 95

Representatives present were Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Lynn

Representative Moody

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 257 Rep(s). Dennis, Faison and Evans as prime sponsor(s).

House Joint Resolution No. 1030 Rep(s). Bailey as prime sponsor(s).

House Joint Resolution No. 1032 Rep(s). Bailey as prime sponsor(s).

House Joint Resolution No. 1033 Rep(s). Faison as prime sponsor(s).

House Joint Resolution No. 1055 Rep(s). Shepard as prime sponsor(s).

House Joint Resolution No. 1056 Rep(s). Shepard as prime sponsor(s).

House Joint Resolution No. 1057 Rep(s). Shepard as prime sponsor(s).

House Joint Resolution No. 1058 Rep(s). Shepard as prime sponsor(s).

House Joint Resolution No. 1072 Rep(s). Shepard as prime sponsor(s).

House Joint Resolution No. 1073 Rep(s). Shepard as prime sponsor(s).

House Joint Resolution No. 1100 Rep(s). Lynn as prime sponsor(s).

House Joint Resolution No. 1101 Rep(s). Lynn as prime sponsor(s).

House Bill No. 859 Rep(s). Kane, Pody, Hall and Littleton as prime sponsor(s).

House Bill No. 1396 Rep(s). Rogers, Love, Towns, Cooper, Sparks, Favors, Dean, Durham, Camper, J. Turner and Hardaway as prime sponsor(s).

House Bill No. 1400 Rep(s). Ragan, Dunn, Bailey, Hawk, Todd, Kane, Hall and Moody as prime sponsor(s).

House Bill No. 1430 Rep(s). Ragan, Dean, Todd, Dennis, Halford, Holt and Carter as prime sponsor(s).

House Bill No. 1480 Rep(s). Ragan, Dennis, Dunn, Evans, Bailey, M. Hill, Hall, H. Brooks, Todd, Lollar, Floyd, M. White, T. Hill, Hawk, Littleton, Casada, Lynn, R. Williams, Sanderson, Travis, Moody, Sparks, Kane, McManus, Haynes and Holt as prime sponsor(s).

House Bill No. 1519 Rep(s). Rogers as prime sponsor(s).

House Bill No. 1542 Rep(s). Parkinson, Weaver, Eldridge, Hall, Camper, Cooper, Shepard, Towns, Akbari, Evans, Turner J, Mitchell and K. Brooks as prime sponsor(s).

House Bill No. 1554 Rep(s). Kane, Hawk, Evans, McManus, Cooper, Marsh and Faison as prime sponsor(s).

House Bill No. 1560 Rep(s). Ragan as prime sponsor(s).

House Bill No. 1871 Rep(s). Rogers as prime sponsor(s).

House Bill No. 1896 Rep(s). Todd as prime sponsor(s).

House Bill No. 1969 Rep(s). Ragan and Powell as prime sponsor(s).

House Bill No. 2082 Rep(s). Parkinson as prime sponsor(s).

House Bill No. 2108 Rep(s). Ragan as prime sponsor(s).

House Bill No. 2127 Rep(s). Ragan as prime sponsor(s).

House Bill No. 2174 Rep(s). Wirgau as prime sponsor(s).

House Bill No. 2211 Rep(s). Cooper as prime sponsor(s).

House Bill No. 2214 Rep(s). Cooper as prime sponsor(s).

House Bill No. 2229 Rep(s). Ragan, Weaver and Rogers as prime sponsor(s).

House Bill No. 2266 Rep(s). Cooper as prime sponsor(s).

House Bill No. 2285 Rep(s). Weaver, Powell, Hardaway, Pitts, J. DeBerry, Fitzhugh and J. Carr as prime sponsor(s).

House Bill No. 2374 Rep(s). Faison and Todd as prime sponsor(s).

House Bill No. 2427 Rep(s). Rogers as prime sponsor(s).

House Bill No. 2461 Rep(s). Ragan as prime sponsor(s).

MESSAGE FROM THE SENATE

April 11, 2014

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1199; substituted for Senate bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 11, 2014

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2500; substituted for Senate bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 11, 2014

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2501 and 2502; substituted for Senate bills on same subjects and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 11, 2014

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution No(s). 993; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 11, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 196 and 1204; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 196** -- School Vouchers - As introduced, enacts the "Tennessee Choice & Opportunity Scholarship Act". - Amends TCA Title 49, Chapter 1. by *Norris, *Kelsey, *Summerville. (HB190 by *McCormick, *Dunn, *Ragan)

Senate Bill No. 1204 -- Firearms and Ammunition - As introduced, requires the Tennessee bureau of investigation to report to the senate judiciary committee and the criminal justice committee of the house of representatives certain money collected by January 1st of each year, instead of February 1st. - Amends TCA Title 39 and Title 49. by *Beavers, *Campfield. (*HB631 by *Evans)

MESSAGE FROM THE SENATE

April 11, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 593, 603, 604, 605, 631, 710, 727, 728, 729, 730, 732, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746 and 783; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

SIGNED

April 11, 2014

The Speaker announced that she had signed the following: Senate Joint Resolution(s) No(s). 593, 603, 604, 605, 631, 710, 727, 728, 729, 730, 732, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746 and 783.

JOE McCORD, Chief Clerk

ENROLLED BILLS

April 11, 2014

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 207, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241 and 246; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Interim Chief Engrossing Clerk

SIGNED

April 11, 2014

The Speaker announced that she had signed the following: House Resolution(s) No(s). 207, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241 and 246.

GREG GLASS, Interim Chief Engrossing Clerk

ENGROSSED BILLS

April 11, 2014

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 464, 1787 and 2512; also House Joint Resolution(s) No(s). 893, 898, 909, 931, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010 and 1011.

GREG GLASS, Interim Chief Engrossing Clerk

MESSAGE FROM THE SENATE

April 14, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No(s). 826; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 826 -- Memorials, Retirement - Victor S. "Torry" Johnson, III. by *Dickerson, *Henry, *Harper, *Haile.

MESSAGE FROM THE SENATE

April 14, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2337; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 2337 -- Taxes, Real Property - As introduced, places restrictions on the lease or conveyance of certain property affecting the appraisal and collection of taxes through exemption. - Amends TCA Section 67-5-203. by *Kelsey. (*HB1913 by *Lollar)

PRESENT IN CHAMBER

Rep(s). Moody was/were recorded as being present in the Chamber.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Representative J. DeBerry was recognized in the Well to honor Freddie Burns.

RESOLUTION READ

The Clerk read House Joint Resolution No. 652, adopted February 6, 2014, honoring the achievements of Freddie Burns, a musician and broadcaster who was instrumental in creating the flourishing Memphis music scene.

House Joint Resolution No. 652 -- Memorials, Professional Achievement - Freddie Burns. by *DeBerry J.

RECOGNITION IN THE WELL

Representative Doss was recognized in the Well to honor J. Bruce Saltsman, former Commissioner of the Tennessee Department of Transportation.

RESOLUTION READ

The Clerk read House Joint Resolution No. 775, adopted March 17, 2014, recognizing J. Bruce Saltsman, Sr.'s many accomplishments and service as the former Commissioner of the Tennessee Department of Transportation.

House Joint Resolution No. 775 -- Memorials, Recognition - J. Bruce Saltsman, Sr. by *Doss.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar No. 2 for April 14, 2014:

House Resolution No. 252 -- Memorials, Interns - Desiree Taylor Anderson. by *Lundberg, *McManus, *Sexton.

House Resolution No. 253 -- Memorials, Interns - Blake Jennings Meeks. by *McManus, *Lundberg, *Sexton.

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House Resolution No. 254 -- Memorials, Interns - Mark Naifeh. by *McManus, *Lundberg, *Sexton.

House Resolution No. 255 -- Memorials, Interns - Keith Milburn. by *Cooper.

House Resolution No. 256 -- Memorials, Interns - Tomi Assan. by *Cooper.

House Resolution No. 257 -- Memorials, Professional Achievement - Fayette Family Vision Care, Oakland Regional Chamber of Commerce Small Business of the Year. by *Rich.

House Resolution No. 258 -- Memorials, Interns - Laura Moore. by *Sparks.

House Resolution No. 259 -- Memorials, Recognition - Noah Smith, Jr. Division of the Southern Appalachian Science & Engineering Fair. by *Powers.

House Resolution No. 260 -- Memorials, Recognition - Morgan Simpson, Jr. Division of the Southern Appalachian Science & Engineering Fair. by *Powers.

House Resolution No. 261 -- Memorials, Recognition - Elijah Brock, Jr. Division of the Southern Appalachian Science & Engineering Fair. by *Powers.

House Resolution No. 262 -- Memorials, Death - James Reynolds. by *Powers.

House Resolution No. 263 -- Memorials, Academic Achievement - Apsu Lewis, Salutatorian, Hollis F. Price Middle College. by *Hardaway.

House Resolution No. 264 -- Memorials, Academic Achievement - Jatryce Bush, Valedictorian, Hollis F. Price Middle College. by *Hardaway.

House Resolution No. 265 -- Memorials, Academic Achievement - Katie Han, Valedictorian, White Station High School. by *Hardaway.

House Resolution No. 266 -- Memorials, Academic Achievement - Jingxin Li, Salutatorian, White Station High School. by *Hardaway.

House Resolution No. 267 -- Memorials, Academic Achievement - Daniel Rose, Salutatorian, Overton High School. by *Hardaway.

House Resolution No. 268 -- Memorials, Academic Achievement - Olivia Campbell, Valedictorian, Overton High School. by *Hardaway.

House Resolution No. 269 -- Memorials, Academic Achievement - Britney Payne, Valedictorian, East High School. by *Hardaway.

House Resolution No. 270 -- Memorials, Academic Achievement - Briana Osei, Salutatorian, East High School. by *Hardaway.

House Resolution No. 271 -- Memorials, Academic Achievement - Monique Barksdale, Salutatorian, Central High School. by *Hardaway.

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House Resolution No. 272 -- Memorials, Academic Achievement - Candace Grisham, Valedictorian, Central High School. by *Hardaway.

House Resolution No. 273 -- Memorials, Interns - Reeca Mitchell. by *Gilmore, *Jones, *DeBerry J.

House Resolution No. 274 -- Memorials, Interns - Paul Armas. by *Jernigan, *Windle, *Stewart.

House Resolution No. 275 -- Memorials, Personal Occasion - Roy and Doris Heath, 50th anniversary. by *Cooper, *Towns.

House Resolution No. 276 -- Memorials, Recognition - Greene Technology Center, 40th anniversary. by *Hawk, *Faison.

House Resolution No. 277 -- Memorials, Interns - Hannah Smith. by *Turner J.

House Joint Resolution No. 1055 -- Memorials, Academic Achievement - Trent Curtis Brooks, Salutatorian, Dickson County High School. by *Littleton.

House Joint Resolution No. 1056 -- Memorials, Academic Achievement - Davis Cole Easley, Valedictorian, Dickson County High School. by *Littleton.

House Joint Resolution No. 1057 -- Memorials, Academic Achievement - Brianna Nicole Felts, Salutatorian, Creekwood High School. by *Littleton.

House Joint Resolution No. 1058 -- Memorials, Academic Achievement - Leah Beth Grubb, Valedictorian, Creekwood High School. by *Littleton.

House Joint Resolution No. 1059 -- Memorials, Interns - Michael Johnson. by *Towns.

House Joint Resolution No. 1060 -- Memorials, Recognition - Tonya Jones. by *Towns.

House Joint Resolution No. 1061 -- Memorials, Interns - Caleb Poore. by *Brooks H.

House Joint Resolution No. 1062 -- Memorials, Retirement - Bill Cox. by *Dean.

House Joint Resolution No. 1063 -- Memorials, Death - Brittany Allen Webb. by *Faison.

House Joint Resolution No. 1064 -- Memorials, Interns - Keeyona Love. by *Faison.

House Joint Resolution No. 1065 -- Memorials, Death - Gene Edward Templin, Sr. by *Faison.

House Joint Resolution No. 1066 -- Memorials, Recognition - Reverend Dr. Fred C. Lofton. by *DeBerry J.

House Joint Resolution No. 1067 -- Memorials, Retirement - Thomas Michel "Mike" Bottoms, District Attorney General, 22nd Judicial District of the State of Tennessee. by *Doss.

House Joint Resolution No. 1068 -- Memorials, Academic Achievement - Allison Clark, Salutatorian, Culleoka Unit School. by *Butt.

House Joint Resolution No. 1069 -- Memorials, Academic Achievement - Christina Oakley, Valedictorian, Culleoka Unit School. by *Butt.

House Joint Resolution No. 1070 -- Memorials, Academic Achievement - Dakota Brown, Salutatorian, Mt. Pleasant High School. by *Butt.

House Joint Resolution No. 1071 -- Memorials, Academic Achievement - Faith Boshers, Valedictorian, Mt. Pleasant High School. by *Butt.

House Joint Resolution No. 1072 -- Memorials, Academic Achievement - Nicholas Laffey, Salutatorian, Columbia Central High School. by *Butt.

House Joint Resolution No. 1073 -- Memorials, Academic Achievement - Mary Ellen Nyhus, Valedictorian, Columbia Central High School. by *Butt.

House Joint Resolution No. 1074 -- Memorials, Academic Achievement - Anna Waugh, Salutatorian, Zion Christian Academy. by *Butt.

House Joint Resolution No. 1075 -- Memorials, Academic Achievement - John Abe Perryman, Valedictorian, Zion Christian Academy. by *Butt.

House Joint Resolution No. 1076 -- Memorials, Academic Achievement - Michael Thomas, Salutatorian, Columbia Academy. by *Butt.

House Joint Resolution No. 1077 -- Memorials, Academic Achievement - Christian Harris, Valedictorian, Columbia Academy. by *Butt.

House Joint Resolution No. 1078 -- Memorials, Recognition - Caney Creek Village. by *Watson.

House Joint Resolution No. 1079 -- Memorials, Academic Achievement - Rose Zeng, Valedictorian, Craigmont High School. by *Parkinson.

House Joint Resolution No. 1080 -- Memorials, Academic Achievement - Robbie Lynn Williams, Salutatorian, Memphis Academy of Health Sciences. by *Parkinson.

House Joint Resolution No. 1081 -- Memorials, Academic Achievement - Kiara D'annel Chambers, Valedictorian, Memphis Academy of Health Sciences. by *Parkinson.

House Joint Resolution No. 1082 -- Memorials, Academic Achievement - Ernesto Ortiz, Salutatorian, Craigmont High School. by *Parkinson.

House Joint Resolution No. 1083 -- Memorials, Death - John Heath. by *Travis.

House Joint Resolution No. 1084 -- Memorials, Recognition - Command Senior Chief Curt Urani, U.S. Coast Guard. by *Travis.

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House Joint Resolution No. 1085 -- Memorials, Death - Wendall Brown. by *Travis.

House Joint Resolution No. 1086 -- Memorials, Professional Achievement - Andre L. Churchwell, M.D. by *Hardaway.

House Joint Resolution No. 1087 -- Memorials, Recognition - Erin Thurston. by *Lamberth, *Weaver, *Rogers.

House Joint Resolution No. 1088 -- Memorials, Retirement - Thomas Harper. by *Weaver.

House Joint Resolution No. 1089 -- Memorials, Retirement - District Attorney General Dan M. Alsobrooks. by *Shepard.

House Joint Resolution No. 1090 -- Memorials, Retirement - Kenny Wallace. by *Mitchell.

House Joint Resolution No. 1091 -- Memorials, Retirement - Rita Carpenter. by *Mitchell.

House Joint Resolution No. 1092 -- Memorials, Retirement - Linda Forte. by *Mitchell.

House Joint Resolution No. 1093 -- Memorials, Recognition - Betty Coley Neal, 50 years of political activism. by *Weaver, *Lamberth, *Rogers.

House Joint Resolution No. 1094 -- Memorials, Retirement - Theotis Robinson. by *Armstrong, *Shaw, *Favors, *Miller, *Akbari, *Camper, *Towns, *Cooper, *Johnson G, *Gilmore, *Love, *Turner J, *Windle.

House Joint Resolution No. 1095 -- Memorials, Retirement - District Attorney General Victor S. (Torry) Johnson, III. by *Turner M, *Harwell.

House Joint Resolution No. 1096 -- Memorials, Retirement - District Attorney General Randall A. York. by *Sexton, *Bailey, *Keisling, *Williams R, *Weaver, *Windle.

House Joint Resolution No. 1097 -- Memorials, Retirement - Mitzi Williams Grogan. by *Evans.

House Joint Resolution No. 1098 -- Memorials, Recognition - Leadership Robertson County 2014. by *Evans.

House Joint Resolution No. 1099 -- Memorials, Recognition - Youth Leadership Robertson County Class of 2014. by *Evans.

House Joint Resolution No. 1100 -- Memorials, Recognition - Leadership Middle Tennessee 2014. by *Evans, *Rogers, *Pitts, *Casada, *Johnson C, *Pody, *Jones, *Shepard, *Odom, *Littleton, *Gilmore, *Weaver, *Powell, *White D, *Turner M, *Sparks, *Butt, *Womick, *Todd, *Mitchell, *Lamberth, *Stewart, *Windle, *Carr J, *Jernigan, *Sargent, *Harwell.

House Joint Resolution No. 1101 -- Memorials, Retirement - Susan Turner Taylor. by *Evans, *Rogers, *Pitts, *Casada, *Johnson C, *Pody, *Shepard, *Odom, *Littleton, *White D,

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*Gilmore, *Weaver, *Powell, *Turner M, *Sparks, *Carr J, *Tidwell, *Jernigan, *Womick, *Todd, *Mitchell, *Lamberth, *Stewart, *Windle, *Love, *Butt, *Sargent, *Harwell.

House Joint Resolution No. 1102 -- Memorials, Recognition - Hazel Moore, Hazel Moore Award. by *Akbari.

House Joint Resolution No. 1103 -- Memorials, Personal Occasion - Clara Macklin, 80th birthday. by *Akbari.

House Joint Resolution No. 1104 -- Memorials, Recognition - Marlon and Mechelle Wilson. by *Akbari.

House Joint Resolution No. 1105 -- Memorials, Death - Gladys Flatt. by *Bailey.

House Joint Resolution No. 1106 -- Memorials, Recognition - Dr. Nancy B. Moody, president of Tusculum College. by *Hawk, *Faison.

House Joint Resolution No. 1107 -- Memorials, Retirement - District Attorney General Berkeley Bell, Jr., Third Judicial District of the State of Tennessee. by *Hawk, *Faison.

House Joint Resolution No. 1108 -- Memorials, Sports - Heather Butler. by *Halford.

House Joint Resolution No. 1109 -- Memorials, Retirement - Elaine Gordon. by *DeBerry J.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 196** -- School Vouchers - As introduced, enacts the "Tennessee Choice & Opportunity Scholarship Act". - Amends TCA Title 49, Chapter 1. by *Norris, *Kelsey, *Summerville. (HB190 by *McCormick, *Dunn, *Ragan)

Senate Bill No. 289 -- Alcoholic Beverages - As introduced, decreases, from two years to one year and from 10 years to five years, the residency requirements for the issuance of a retailer's license to sell alcoholic beverages; specifies, if the next of kin takes over a valid retail license in the event of death of the holder, the residency requirements do not apply. - Amends TCA Title 57. by *Ketron, *Green, *Kelsey, *Dickerson, *Tate. (*HB47 by *Haynes, *Lundberg, *Sexton, *Durham)

Senate Bill No. 579 -- Criminal Offenses - As introduced, creates the Class C felony of aggravated vehicular assault as a criminal offense. - Amends TCA Title 39 and Title 40. by *Johnson, *Bowling. (*HB8 by *Sargent, *Lamberth, *Watson, *Weaver, *VanHuss, *Camper, *Kane, *Carter, *Hardaway, *Gilmore, *Casada, *Durham)

Senate Bill No. 1204 -- Firearms and Ammunition - As introduced, requires the Tennessee bureau of investigation to report to the senate judiciary committee and the criminal justice committee of the house of representatives certain money collected by January 1st of

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each year, instead of February 1st. - Amends TCA Title 39 and Title 49. by *Beavers, *Campfield. (*HB631 by *Evans)

***Senate Bill No. 1457** -- Special License Plates - As introduced, authorizes issuance of a specialty license plate for the Tennessee Cave Salamander; provides that the sale proceeds shall be deposited into the wildlife resources fund. - Amends TCA Title 55, Chapter 4. by *Tracy, *Bowling, *Kyle, *Gardenhire. (HB1486 by *Dean, *Cooper)

***Senate Bill No. 1477** -- Taxes - As introduced, allows a deduction from business taxes for any costs incurred by a natural gas marketer to take title to, transport, or deliver natural gas to customer facilities located in this state. - Amends TCA Title 67. by *Johnson, *Bowling. (HB1536 by *Sargent)

***Senate Bill No. 1513** -- Local Government, General - As introduced, disqualifies any county employee from serving as a member of the county legislative body; exempts current members of the county legislative body; disqualifies any city employee from serving as a member of the governing body of the city; exempts current members of the governing body of the city. - Amends TCA Title 2; Title 5; Title 6; Title 7 and Title 8. by *Gresham, *Beavers. (HB1481 by *Faison)

Senate Bill No. 1629 -- Medical Occupations - As introduced, authorizes online applications for various occupations regulated by the division of health related boards; revises public record status of certain investigatory records of the department of health. - Amends TCA Title 63, Chapter 1, Part 1; Title 63, Chapter 10, Part 3; Title 63, Chapter 11, Part 2; Title 63, Chapter 13, Part 3; Title 63, Chapter 23, Part 1; Title 63, Chapter 25, Part 1; Title 63, Chapter 3, Part 1; Title 63, Chapter 4, Part 1; Title 63, Chapter 6, Part 2; Title 63, Chapter 7, Part 1 and Title 63, Chapter 9, Part 1. by *Norris, *Watson. (*HB1425 by *McCormick, *Farmer, *Brooks K, *Pitts)

Senate Bill No. 1672 -- Handgun Permits - As introduced, changes the timeframe in which a handgun carry permit expires from 4 years to 5 years; allows the commissioner of safety to stagger initial January 1, 2016, renewal so that the 5 year expiration will occur on the permit holder's birthday and at same time as the person's driver license. - Amends TCA Title 39, Chapter 17, Part 13. by *Southerland, *Overbey, *Bowling, *Campfield. (*HB1400 by *Goins, *Powers, *Dunn, *Bailey, *Hawk, *Todd, *Kane, *Hall, *Moody)

Senate Bill No. 1826 -- Motor Vehicles, Titling and Registration - As introduced, permits registration valid for 18 months instead of 12 for certain businesses engaged in the rental of motor vehicles, trucks and trailers for periods of 31 days or less. - Amends TCA Title 55, Chapter 4. by *Johnson, *Bowling. (*HB1699 by *Sargent, *Armstrong)

Senate Bill No. 2021 -- Criminal Offenses - As introduced, requires a person convicted of manufacturing methamphetamine to serve at least 180 days in confinement and a person convicted of possession of methamphetamine to serve at least 30 days in confinement. - Amends TCA Title 39, Chapter 17, Part 4. by *Beavers, *Bowling. (*HB1661 by *Hill T, *VanHuss, *Hill M, *Lamberth, *Sexton, *Faison, *Casada, *Rich, *White D, *Williams K, *Watson)

***Senate Bill No. 2090** -- Sexual Offenders - As introduced, extends to all registered sexual offenders certain residential, work and other restrictions that currently apply only to

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registered sexual offenders whose victims were minors. - Amends TCA Title 40, Chapter 39, Part 2. by *Green. (HB1972 by *Pitts)

Senate Bill No. 2504 -- Criminal Procedure - As introduced, requires a person applying for expunction of criminal records to pay the appropriate court clerk's fee, in addition to any other fees required unless the person is entitled to have such records removed and destroyed without cost. - Amends TCA Section 8-21-401 and Title 40. by *Tate, *Harper. (*HB2372 by *Camper, *Parkinson)

Senate Bill No. 2559 -- Education - As introduced, requires every LEA to allow parents to review all instructional materials used in the classroom of the parent's child; mandates the LEA to allow parents access to review all surveys and evaluations administered to the parent's child. - Amends TCA Title 49, Chapter 2 and Title 49, Chapter 6, Part 70. by *Bowling, *Hensley, *Bell, *Tate, *Green, *Dickerson, *Burks, *Crowe, *Gardenhire. (*HB2453 by *Matheny, *Holt, *Dunn, *Hill M, *Moody, *Butt, *Womick, *Casada, *Faison, *Carr J, *Matlock, *Shipley, *White D, *Carter, *Doss, *Pody, *Weaver, *Kane, *Williams R, *DeBerry J, *Alexander, *Spivey, *Brooks K)

Senate Bill No. 2580 -- Capital Punishment - As introduced, provides that if the lethal injection method of carrying out the punishment of death is found to be unconstitutional or the commissioner certifies to the governor that an essential ingredient for that method is unavailable, the method of carrying out the death sentence is electrocution. - Amends TCA Title 40, Chapter 23, Part 1. by *Yager. (*HB2476 by *Powers)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 2554 -- Harriman -- House Local Government Committee

House Bill No. 2555 -- Hamilton County -- House Local Government Committee

CONSENT CALENDAR

House Resolution No. 242 -- Memorials, Interns - William Jacob King. by *White D.

House Resolution No. 243 -- Memorials, Death - Jack Edward Davis. by *Watson.

House Resolution No. 244 -- Memorials, Interns - Alisha V. Sparks. by *Coley.

House Resolution No. 245 -- Memorials, Interns - Ashley Lewis. by *Camper, *Akbari.

House Resolution No. 247 -- Memorials, Academic Achievement - Rachel Ryan, Salutatorian, West High School. by *Johnson G, *Armstrong.

House Resolution No. 248 -- Memorials, Academic Achievement - Raina Fitzpatrick, Valedictorian, West High School. by *Johnson G, *Armstrong.

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House Resolution No. 249 -- Memorials, Academic Achievement - Taylor Eggers, Salutatorian, L & N STEM Academy. by *Armstrong, *Johnson G.

House Resolution No. 250 -- Memorials, Academic Achievement - Rachel Pilkay, Valedictorian, L & N STEM Academy. by *Armstrong, *Johnson G.

House Resolution No. 251 -- Memorials, Academic Achievement - Carolyn Craig, Salutatorian, West High School. by *Johnson G, *Armstrong.

House Joint Resolution No. 1012 -- Memorials, Death - Henry Marshall Parton. by *Carr D, *Farmer.

House Joint Resolution No. 1013 -- Memorials, Public Service - Commissioner Jimmie Temple, Sevier County. by *Carr D, *Farmer.

House Joint Resolution No. 1014 -- Memorials, Retirement - Charlotte M. Britton. by *Harrison.

House Joint Resolution No. 1015 -- Memorials, Academic Achievement - Alana Marie Gregory, Top Eleven, Volunteer High School. by *Harrison.

House Joint Resolution No. 1016 -- Memorials, Academic Achievement - Sierra Crawford, Top Eleven, Volunteer High School. by *Harrison.

House Joint Resolution No. 1017 -- Memorials, Academic Achievement - Casey Price, Top Eleven, Volunteer High School. by *Harrison.

House Joint Resolution No. 1018 -- Memorials, Academic Achievement - Ethan Roberts, Top Eleven, Volunteer High School. by *Harrison.

House Joint Resolution No. 1019 -- Memorials, Academic Achievement - Cierra Percy, Top Eleven, Volunteer High School. by *Harrison.

House Joint Resolution No. 1020 -- Memorials, Academic Achievement - Allison Galloway, Top Eleven, Volunteer High School. by *Harrison.

House Joint Resolution No. 1021 -- Memorials, Academic Achievement - Abigail Rider, Top Eleven, Volunteer High School. by *Harrison.

House Joint Resolution No. 1022 -- Memorials, Academic Achievement - Alex Megan Williams, Top Eleven, Volunteer High School. by *Harrison.

House Joint Resolution No. 1023 -- Memorials, Academic Achievement - Breanna Smallwood, Top Eleven, Volunteer High School. by *Harrison.

House Joint Resolution No. 1024 -- Memorials, Academic Achievement - Hobert Stapleton, Top Eleven, Volunteer High School. by *Harrison.

House Joint Resolution No. 1025 -- Memorials, Academic Achievement - Madison Lee Truman, Top Eleven, Volunteer High School. by *Harrison.

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House Joint Resolution No. 1026 -- Memorials, Academic Achievement - Lekia Lashai Hood, Salutatorian, Tyner Academy. by *Carter.

House Joint Resolution No. 1027 -- Memorials, Academic Achievement - Johnni Orozco, Valedictorian, Tyner Academy. by *Carter.

House Joint Resolution No. 1028 -- Memorials, Academic Achievement - Ashley Nicole Woodward, Salutatorian, Chattanooga Central High School. by *Carter.

House Joint Resolution No. 1029 -- Memorials, Academic Achievement - Nathan Graham Clark, Valedictorian, Chattanooga Central High School. by *Carter.

House Joint Resolution No. 1030 -- Memorials, Academic Achievement - Tina Sullivan, Valedictorian, Bledsoe County High School. by *Travis.

House Joint Resolution No. 1031 -- Memorials, Recognition - Tommy Earl Snyder, Elmer Hinds Republican of the Year Award 2014. by *Travis.

House Joint Resolution No. 1032 -- Memorials, Academic Achievement - Destanie Smith, Salutatorian, Bledsoe County High School. by *Travis.

House Joint Resolution No. 1033 -- Memorials, Interns - Calvin Jones. by *Towns, *Hardaway.

House Joint Resolution No. 1034 -- Memorials, Interns - Alexa Sengupta. by *Harwell.

House Joint Resolution No. 1035 -- Memorials, Interns - Jeanne Marie Harrison. by *Harwell.

House Joint Resolution No. 1036 -- Memorials, Public Service - Stone Carr. by *Ramsey, *Swann.

House Joint Resolution No. 1037 -- Memorials, Academic Achievement - Herman Howard Odens, Valedictorian, Ooltewah High School. by *Carter.

House Joint Resolution No. 1038 -- Memorials, Academic Achievement - David Arellano, Salutatorian, Ooltewah High School. by *Carter.

House Joint Resolution No. 1039 -- Memorials, Recognition - Pastor Robert J. Matthews. by *Akbari, *Camper, *Turner J, *Cooper, *Parkinson, *Hardaway, *DeBerry J, *Towns.

House Joint Resolution No. 1040 -- Memorials, Professional Achievement - Pastor George L. Parks, Jr. by *Akbari, *Camper, *Turner J, *Cooper, *Parkinson, *Hardaway, *DeBerry J, *Towns.

House Joint Resolution No. 1041 -- Memorials, Recognition - Pastor Paul K. Reed. by *Akbari, *Camper, *Turner J, *Cooper, *Parkinson, *Hardaway, *DeBerry J, *Towns.

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House Joint Resolution No. 1042 -- Memorials, Recognition - Pastor Dwight Montgomery. by *Akbari, *Camper, *Turner J, *Cooper, *Parkinson, *Hardaway, *DeBerry J, *Towns.

House Joint Resolution No. 1043 -- Memorials, Recognition - Pastor Leonard Dawson. by *Akbari, *Camper, *Turner J, *Cooper, *Parkinson, *Hardaway, *DeBerry J, *Towns.

House Joint Resolution No. 1044 -- Memorials, Professional Achievement - Rev. Bethel L. Harris, Jr. by *Akbari, *Camper, *Turner J, *Cooper, *Parkinson, *Hardaway, *DeBerry J, *Towns.

House Joint Resolution No. 1045 -- Memorials, Sports - Heather Butler. by *Halford.

House Joint Resolution No. 1046 -- Memorials, Personal Occasion - John William "JW" King and Eunice Marie McDaniel King, 70th wedding anniversary. by *Halford.

House Joint Resolution No. 1047 -- Memorials, Academic Achievement - Magaly Cruz, Valedictorian, Kingsbury High School. by *Parkinson.

House Joint Resolution No. 1048 -- Memorials, Academic Achievement - Jason Cancino, Valedictorian, Raleigh Egypt High School. by *Parkinson.

House Joint Resolution No. 1049 -- Memorials, Academic Achievement - Katlynn McClatchie, Salutatorian, Kingsbury High School. by *Parkinson.

House Joint Resolution No. 1050 -- Memorials, Academic Achievement - Courtney Pendergrass, Salutatorian, Raleigh Egypt High School. by *Parkinson.

House Joint Resolution No. 1051 -- Memorials, Academic Achievement - Dillan Shults, Valedictorian, Cosby High School. by *Faison.

House Joint Resolution No. 1052 -- Memorials, Academic Achievement - Joseph Dobbs, Salutatorian, Cosby High School. by *Faison.

House Joint Resolution No. 1053 -- Memorials, Academic Achievement - Mariah Huskey, Valedictorian, Cocke County High School. by *Faison.

House Joint Resolution No. 1054 -- Memorials, Academic Achievement - Ellie Owens, Salutatorian, Cocke County High School. by *Faison.

Senate Joint Resolution No. 761 -- Memorials, Recognition - "Landscape Architecture Month" in Tennessee. by *Norris.

Senate Joint Resolution No. 763 -- Memorials, Recognition - Meco Corporation of Greeneville, 55th Anniversary. by *Southerland.

Senate Joint Resolution No. 764 -- Memorials, Personal Occasion - Ronnie and Emily Townes, 50th wedding anniversary. by *Henry, *Beavers, *Bell, *Bowling, *Burks, *Campfield, *Crowe, *Dickerson, *Finney, *Ford, *Gardenhire, *Green, *Gresham, *Haile, *Harper, *Hensley, *Johnson, *Kelsey, *Ketron, *Kyle, *Massey, *McNally, *Niceley, *Norris, *Overbey, *Southerland, *Stevens, *Summerville, *Tate, *Tracy, *Watson, *Yager, *Ramsey.

Senate Joint Resolution No. 765 -- Memorials, Sports - Meigs County High School boys basketball team. by *Bell, *Tracy, *Beavers, *Bowling, *Burks, *Campfield, *Crowe, *Dickerson, *Finney, *Gardenhire, *Green, *Gresham, *Haile, *Harper, *Henry, *Hensley, *Johnson, *Kelsey, *Ketron, *Kyle, *Massey, *McNally, *Niceley, *Norris, *Overbey, *Southerland, *Stevens, *Summerville, *Tate, *Watson, *Yager, *Ramsey.

Senate Joint Resolution No. 766 -- Memorials, Sports - 2013-2014 Meigs County Lady Tigers girls basketball team. by *Bell, *Tracy, *Beavers, *Bowling, *Burks, *Campfield, *Crowe, *Dickerson, *Finney, *Gardenhire, *Green, *Gresham, *Haile, *Harper, *Henry, *Hensley, *Johnson, *Kelsey, *Ketron, *Kyle, *Massey, *McNally, *Niceley, *Norris, *Overbey, *Southerland, *Stevens, *Summerville, *Tate, *Watson, *Yager, *Ramsey.

Senate Joint Resolution No. 767 -- Memorials, Death - PFC Austin James McReynolds. by *McNally, *Kyle.

Senate Joint Resolution No. 819 -- Memorials, Public Service - Michael J. Stephens. by *Finney.

OBJECTION--CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Joint Resolution No. 1045: by Rep. Halford

Under the rules and House Joint Resolution(s) No(s). 1045 were placed at the heel of the calendar for April 16, 2014.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	97
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

REGULAR CALENDAR

***Senate Bill No. 1892** -- Criminal Offenses - As introduced, creates crimes of using an unmanned aircraft with intent to conduct surveillance, capturing or using an image captured by an unmanned aircraft, surreptitious commercial surveillance and aggravated surreptitious commercial surveillance. - Amends TCA Title 29 and Title 39. by *Stevens, *Bowling, *Norris, *Campfield. (HB1779 by *Johnson C, *Hardaway, *Holt)

Further consideration of Senate Bill No. 1892 previously considered on April 9, 2014, at which time the House substituted the Senate Bill for the House Bill and withdrew Amendment(s) 1, 2 and 3, it was then reset for today's Calendar.

Rep. C. Johnson requested that Senate Bill No. 1892 be moved down to the last item on today's Calendar, which motion prevailed.

House Joint Resolution No. 913 -- Memorials, Public Service - Representative Barrett Rich. by *Casada, *McCormick.

Further consideration of House Joint Resolution No. 913 previously considered on April 3, 2014 and April 9, 2014, at which time it was reset for today's Calendar.

Rep. Casada requested that House Joint Resolution No. 913 be moved to the heel of the Calendar, which motion prevailed.

House Bill No. 2117 -- Remedies and Special Proceedings - As introduced, creates a cause of action against any person who makes a bad faith assertion of patent infringement. - Amends TCA Title 29. by *Lundberg, *Haynes, *Coley, *Dennis, *Rich, *Fitzhugh, *Pitts, *Ragan. (*SB1967 by *Bell, *Bowling, *Overbey)

Further consideration of House Bill No. 2117 previously considered on April 9, 2014, at which time it was reset for today's Calendar.

On motion, House Bill No. 2117 was made to conform with **Senate Bill No. 1967**; the Senate Bill was substituted for the House Bill.

Rep. Lundberg moved that Senate Bill No. 1967 be passed on third and final consideration.

Rep. Womick moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Lundberg moved that **Senate Bill No. 1967** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

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Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

***House Joint Resolution No. 672** -- Memorials, Congress - Urges the United States Congress to pass the Behavioral Health Information Technology Act of 2013 (H.R. 2957). by *Hardaway.

Further consideration of House Joint Resolution No. 672 previously considered on April 9, 2014, at which time it was reset for today's Calendar.

Rep. Hardaway moved adoption of House Joint Resolution No. 672.

Rep. Ramsey requested that Health Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Ramsey moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Joint Resolution No. 672 by inserting the language “, THE SENATE CONCURRING,” in the first resolving clause of the resolution immediately after the language “STATE OF TENNESSEE,”.

On motion, Amendment No. 2 was adopted.

Rep. Ramsey moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Parkinson moved the previous question, which motion prevailed.

Rep. Hardaway moved adoption of **House Joint Resolution No. 672**, as amended, which motion prevailed by the following vote:

Ayes	72
Noes.....	14
Present and not voting.....	3

Representatives voting aye were: Akbari, Armstrong, Brooks H, Brooks K, Calfee, Camper, Carr D, Carter, Cooper, Dean, Dennis, Doss, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Halford, Hall, Hardaway, Harrison, Hawk, Hill M, Hill T, Jernigan,

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Johnson C, Johnson G, Jones, Kane, Keisling, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Shaw, Shepard, Sparks, Spivey, Stewart, Tidwell, Towns, Turner J, Turner M, Van Huss, Watson, White D, White M, Williams K, Williams R, Windle, Madam Speaker Harwell -- 72

Representatives voting no were: Bailey, Carr J, Coley, Floyd, Goins, Haynes, McCormick, Pody, Rogers, Sexton, Swann, Weaver, Wirgau, Womick -- 14

Representatives present and not voting were: Evans, Todd, Travis -- 3

A motion to reconsider was tabled.

RECOGNITION IN THE WELL

Rep. Casada was recognized in the Well to honor the public service of Representative Barrett Rich.

SPECIAL ORDER

Without objection, Rep. Casada moved the House take up item number 2 on today's Regular Calendar, House Joint Resolution No. 913, out of order at this time as follows:

House Joint Resolution No. 913 -- Memorials, Public Service - Representative Barrett Rich. by *Casada, *McCormick.

Further consideration of House Joint Resolution No. 913 previously considered on April 3, 2014, April 9, 2014 and today's Calendar.

Rep. Casada moved adoption of House Joint Resolution No. 913.

RESOLUTION READ

The Clerk read House Joint Resolution No. 913, honoring the public service of Representative Barrett Rich.

House Joint Resolution No. 913 -- Memorials, Public Service - Representative Barrett Rich. by *Casada, *McCormick.

Rep. Casada moved that all members voting aye on House Joint Resolution No. 913 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Casada moved adoption of **House Joint Resolution No. 913**, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

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Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

REGULAR CALENDAR, CONTINUED

House Bill No. 2520 -- Somerville - As introduced, subject to local approval, permits the town to establish, by ordinance, a mosquito abatement program and to levy fees to finance the program. - Amends Chapter 169 of the Private Acts of 1998; as amended. by *Rich. (SB2609 by *Gresham)

Further consideration of House Bill No. 2520 previously considered on April 9, 2014, at which time it was reset for today's Calendar.

Rep. Rich moved that **House Bill No. 2520** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 98
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

A motion to reconsider was tabled.

***House Bill No. 1430** -- Nuisances - As introduced, revises and expands the process for abating gang nuisances. - Amends TCA Title 29, Chapter 3. by *McCormick, *Rich, *Dean, *Todd, *Dennis, *Halford, *Holt, *Carter. (SB1634 by *Norris, *Watson, *Finney, *Burks)

Further consideration of House Bill No. 1430 previously considered on April 9, 2014, at which time it was reset for today's Calendar.

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

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On motion, House Bill No. 1430 was made to conform with **Senate Bill No. 1634**; the Senate Bill was substituted for the House Bill.

Rep. Rich moved that Senate Bill No. 1634 be passed on third and final consideration.

Rep. Lundberg moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Gilmore moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Akbari moved the previous question, which motion prevailed.

Rep. Rich moved that **Senate Bill No. 1634** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

Representatives voting no were: Turner M -- 1

A motion to reconsider was tabled.

***House Bill No. 1896** -- Medical Occupations - As introduced, enacts the "Tennessee Patient Safety Cosmetic Medical Procedures Act", which requires the comptroller to report on the effectiveness of current rules issued by the boards that oversee health care professions, concerning patient safety during cosmetic procedures in this state; the comptroller will report to the health committee of the house and health and welfare committee of the senate by January 1, 2015. - Amends TCA Title 62, Chapter 4 and Title 63. by *Shipley. (SB2033 by *Hensley)

Further consideration of House Bill No. 1896 previously considered on April 9, 2014, at which time it was reset for today's Calendar.

Rep. Shipley moved that House Bill No. 1896 be passed on third and final consideration.

Rep. Ramsey moved adoption of Health Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1896 by deleting Sections 2 and 3 of the bill as introduced and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Title 63, Chapter 6, Part 2, is amended by adding the following as a new section:

63-1-152.

(a) As used in this section:

(1) “Cosmetic medical service” means any service that uses a biologic or synthetic material, a chemical application, a mechanical device, or a displaced energy form of any kind that alters or damages, or is capable of altering or damaging, living tissue to improve the patient’s appearance or achieve an enhanced aesthetic result;

(2) “Media” or “advertising” means oral, written and other types of communication disseminated for the purpose of soliciting medical services. These communications include, but are not limited to, newspaper or magazine advertisement, telephone directory displays, printed brochures or leaflets, websites, email correspondence, and television and radio announcements;

(3) “Medical director” or “supervising physician” means a physician who:

(A) Holds an active medical license under chapter 6 or 9 of this title in this state;

(B) Has an active medical practice in this state; and

(C) Is responsible for the provision of or supervises the provision of cosmetic medical services; and

(4) “Medical spa” means any entity, however named or organized, which offers or performs cosmetic medical services; provided, that a medical spa shall not include a practice owned by a physician.

(b) Any entity doing business as or advertised as a medical spa shall display the name of the medical director or supervising physician and shall indicate one of the following by signage at its practice site and in its media and advertising:

(1) Whether the medical director or supervising physician is certified or eligible for certification by a private

or public board, parent association, multidisciplinary board or association that is an American Board of Medical Specialties (ABMS) board member or an American Osteopathic Association (AOA) board member;

(2) Whether the medical director or supervising physician is certified by a board or association with equivalent requirements to the ABMS as approved and recognized by the board of medical examiners or the board of osteopathic examination, as appropriate; or

(3) Whether the medical director or supervising physician is certified by a board or association with an American Osteopathic Association (AOA) or an Accreditation Council for Graduate Medical Education (ACGME) approved and accredited postgraduate training program that provides full certification in that specialty or subspecialty and is recognized by the board of medical examiners or the board of osteopathic examination, as appropriate.

(c) If the medical director or supervising physician is not certified by any of the entities identified in subsection (b), then the lack of certification shall be displayed by signage at its practice site and in its media and advertising.

SECTION 3. This act shall take effect July 1, 2014, the public welfare requiring it.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. Ramsey moved adoption of Health Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 1896 By deleting subsection (b) of the amendatory language of Section 2, as amended, in its entirety and by substituting instead the following:

(b) Any entity doing business as or advertised as a medical spa shall display the name of the medical director or supervising physician and shall indicate one of the following by signage at its practice site and in its media and advertising:

(1) Whether the medical director or supervising physician is certified or eligible for certification by a private or public board, parent association, multidisciplinary board or association that is an American Board of Medical Specialties (ABMS), American Board of Physician Specialties (ABPS), or American Osteopathic Association (AOA) board member;

(2) Whether the medical director or supervising physician is certified by a board or association with equivalent requirements to the ABMS, ABPS, or AOA as approved and recognized by the board of medical examiners or the board of osteopathic examination, as appropriate; or

(3) Whether the medical director or supervising physician is certified by a board or association with an Accreditation Council for Graduate Medical Education (ACGME) approved and accredited postgraduate training program that provides full certification in that specialty or subspecialty and is recognized by the board of medical examiners or the board of osteopathic examination, as appropriate.

On motion, Health Committee Amendment No. 2 was adopted.

Rep. Ramsey moved adoption of Health Committee Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 1896 by deleting the language “Chapter 6, Part 2,” in the directory language of Section 2 and by substituting instead the language “Chapter 1, Part 1”.

On motion, Health Committee Amendment No. 3 was adopted.

Rep. Shipley moved that **House Bill No. 1896**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

A motion to reconsider was tabled.

House Bill No. 2258 -- Criminal Offenses - As introduced, revises intent required for the offense of acquiring control over an animal facility to include the intent to deprive the owner of the facility or disrupt the enterprise conducted at such facility; present law requires there be an intent to deprive the owner and to disrupt such enterprise. - Amends TCA Title 39, Chapter 14, Part 8. by *Holt. (*SB2406 by *Gresham, *Bowling, *Burks)

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Further consideration of House Bill No. 2258 previously considered on April 9, 2014, at which time it was reset for today's Calendar.

On motion, House Bill No. 2258 was made to conform with **Senate Bill No. 2406**; the Senate Bill was substituted for the House Bill.

Rep. Holt moved that Senate Bill No. 2406 be passed on third and final consideration.

Rep. Halford requested that Agriculture and Natural Resources Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Watson moved that Criminal Justice Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. Halford moved that Agriculture and Natural Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Holt moved that **Senate Bill No. 2406** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	68
Noes.....	26

Representatives voting aye were: Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, DeBerry J, Dennis, Doss, Dunn, Eldridge, Evans, Faison, Floyd, Forgety, Goins, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shepard, Shipley, Sparks, Spivey, Swann, Tidwell, Travis, Van Huss, Watson, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick -- 68

Representatives voting no were: Akbari, Armstrong, Camper, Cooper, Dean, Durham, Farmer, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Johnson G, Jones, Miller, Mitchell, Odom, Parkinson, Pitts, Powell, Stewart, Todd, Towns, Turner J, Turner M, Williams K -- 26

A motion to reconsider was tabled.

MOTION TO RECONSIDER

Senate Bill No. 2406 -- Criminal Offenses - As introduced, revises intent required for the offense of acquiring control over an animal facility to include the intent to deprive the owner of the facility or disrupt the enterprise conducted at such facility; present law requires there be an intent to deprive the owner and to disrupt such enterprise. - Amends TCA Title 39, Chapter 14, Part 8. by * Gresham, *Bowling, *Burks (*HB2258 by *Holt)

Rep. Holt moved to lift from the table the motion to reconsider action in passing Senate Bill No. 2406, which motion prevailed.

Rep. Holt moved to reconsider action in passing Senate Bill No. 2406, which motion prevailed.

Rep. Holt moved that Senate Bill No. 2406 be passed on third and final consideration.

Rep. Holt requested that Senate Bill No. 2406 be moved to the heel of the Calendar, which motion prevailed.

REGULAR CALENDAR, CONTINUED

House Bill No. 2279 -- Liens - As introduced, requires certain artisans to include the vehicle identification number, in the case of a motor vehicle, in any notice to persons known to the artisan who claim an interest in the motor vehicle and any advertisement of the auction sale to satisfy the lien on the motor vehicle. - Amends TCA Title 66. by *Holt. (*SB2269 by *Yager)

Further consideration of House Bill No. 2279 previously considered on April 9, 2014, at which time it was reset for today's Calendar.

On motion, House Bill No. 2279 was made to conform with **Senate Bill No. 2269**; the Senate Bill was substituted for the House Bill.

Rep. Holt moved that Senate Bill No. 2269 be passed on third and final consideration.

Rep. Lundberg moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Holt moved that **Senate Bill No. 2269** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

House Bill No. 2285 -- Domestic Violence - As introduced, requires any pending order of protection or restraining order to be served on domestic violence offender before release following the mandatory twelve-hour holding period; directs a copy of protection order to be issued to any court in which the respondent or petitioner are parties to an action. - Amends TCA Title 36, Chapter 3, Part 6; Title 39, Chapter 13, Part 1 and Title 40, Chapter 11, Part 1. by *Turner J, *Camper, *Gilmore, *Dean, *Parkinson, *Alexander, *Jones, *Akbari, *Armstrong, *Favors, *Coley, *Johnson G, *Williams K, *Goins, *Jernigan, *Tidwell, *Lamberth, *Towns, *Ramsey, *Love, *Rogers, *Windle, *Mitchell, *Stewart, *Womick, *Shaw, *Pitts, *DeBerry J, *Fitzhugh, *Carr J. (*SB2168 by *Burks)

Further consideration of House Bill No. 2258 previously considered on April 9, 2014, at which time it was reset for today's Calendar.

Rep. J. Turner moved that House Bill No. 2285 be passed on third and final consideration.

Rep. Watson moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2285 By deleting subdivision (h)(3) of the amendatory language of SECTION 3 and substituting instead the following:

(3) If an order of protection or restraining order has been issued against an offender arrested for an offense listed in subdivision (h)(1), but the offender has not been served with the order prior to incarceration, the offender shall be served with the order prior to the offender's release from incarceration. If an order has not been served on the offender at the conclusion of the offenders twelve-hour holding period, the offender may be released but the order shall be served as soon as possible after such release. Service remains valid on an offender if it is made after the offender is released from incarceration rather than while incarcerated for the twelve-hour hold period.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. J. Turner moved that **House Bill No. 2285**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd,

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Towns, Travis, Turner J, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

House Bill No. 2374 -- Weapons - As introduced, specifies that all collateral criminal charges involving possession, storage, use or transportation of a firearm be dismissed if there is a determination that a person's use of force was justifiable self-defense, that the charges be expunged and that all administrative hearings resulting from the same use of force be concluded and decided in the person's favor. - Amends TCA Section 39-17-1322. by *Bailey, *Ragan, *Todd. (*SB1704 by *Niceley)

Further consideration of House Bill No. 2374 previously considered on April 9, 2014, at which time it was reset for today's Calendar.

Rep. Bailey moved that House Bill No. 2374 be reset for the last Regular Calendar, which motion prevailed.

House Bill No. 2229 -- Physicians and Surgeons - As introduced, allows, instead of requires, physicians who refuse to prescribe opiate medication to a patient to inform the patient there are physicians whose treatment of severe chronic intractable pain includes the use of opiates. - Amends TCA Title 63, Chapter 6, Part 11. by *Calfee, *Williams R, *Doss, *Weaver, *Rogers. (*SB1833 by *Yager)

Further consideration of House Bill No. 2229 previously considered on April 9, 2014, at which time it was reset for today's Calendar.

Rep. Calfee moved that **House Bill No. 2229** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

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***House Bill No. 1648** -- Motor Vehicles, Titling and Registration - As introduced, upon meeting certain safety and equipment requirements, allows off-highway vehicles to be registered as medium speed vehicles; increases, from 40 to 45 miles per hour, the maximum posted speed limit for the roads, other than interstates, on which medium speed vehicles may be driven; revises other provisions related to the operation of such vehicles. - Amends TCA Title 11; Title 39; Title 47; Title 55, Chapter 1; Title 55, Chapter 4; Title 55, Chapter 50; Title 55, Chapter 8; Title 55, Chapter 9 and Title 70. by *Hill T. (SB1781 by *Crowe)

Further consideration of House Bill No. 1648 previously considered on April 9, 2014, at which time it was reset for today's Calendar.

On motion, House Bill No. 1648 was made to conform with **Senate Bill No. 1781**; the Senate Bill was substituted for the House Bill.

Rep. T. Hill moved that Senate Bill No. 1781 be passed on third and final consideration.

Rep. Dean moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. T. Hill moved that **Senate Bill No. 1781** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	86
Noes.....	4

Representatives voting aye were: Alexander, Armstrong, Bailey, Brooks H, Brooks K, Calfee, Carr D, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Lamberth, Lollar, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Van Huss, Watson, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 86

Representatives voting no were: Keisling, Towns, Turner M, Weaver -- 4

A motion to reconsider was tabled.

House Bill No. 1560 -- Special License Plates - As introduced, requires department of revenue to establish program to authorize the sale of non-refundable gift vouchers redeemable toward additional \$35.00 fee for cultural, earmarked and new specialty earmarked license plates. - Amends TCA Title 55, Chapter 4. by *McManus, *Carter. (*SB1718 by *Norris, *Overbey, *Ford, *Crowe, *Kyle, *Massey)

Further consideration of House Bill No. 1560 previously considered on April 9, 2014, at which time it was reset for today's Calendar.

On motion, House Bill No. 1560 was made to conform with **Senate Bill No. 1718**; the Senate Bill was substituted for the House Bill.

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Rep. McManus moved that Senate Bill No. 1718 be passed on third and final consideration.

Rep. Sargent moved that Finance, Ways & Means Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. McManus moved that **Senate Bill No. 1718** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 2

Representatives voting aye were: Akbari, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 95

Representatives voting no were: Alexander, Windle -- 2

A motion to reconsider was tabled.

House Bill No. 2127 -- Education, Higher - As introduced, clarifies that both public and private institutions only offering preschool through twelfth grade education are exempt from the Postsecondary Education Authorization Act of 1974. - Amends TCA Section 49-7-2004. by *Brooks H. (*SB2352 by *Gresham)

Further consideration of House Bill No. 2127 previously considered on April 9, 2014, at which time it was reset for today's Calendar.

On motion, House Bill No. 2127 was made to conform with **Senate Bill No. 2352**; the Senate Bill was substituted for the House Bill.

Rep. H. Brooks moved that Senate Bill No. 2352 be passed on third and final consideration.

Rep. M. White moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. H. Brooks moved that **Senate Bill No. 2352** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

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Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

House Bill No. 2108 -- Teachers, Principals and School Personnel - As introduced, permits teachers and principals to select the student achievement measures that represent 15 percent of their evaluations, if they can not agree with their evaluators on what should be used. - Amends TCA Title 49. by *Brooks H. (*SB2250 by *Massey, *Niceley, *Yager)

Further consideration of House Bill No. 2108 previously considered on April 9, 2014, at which time it was reset for today's Calendar.

On motion, House Bill No. 2108 was made to conform with **Senate Bill No. 2250**; the Senate Bill was substituted for the House Bill.

Rep. H. Brooks moved that Senate Bill No. 2250 be passed on third and final consideration.

Rep. Forgety moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. H. Brooks moved that **Senate Bill No. 2250** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes.....	2

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

Representatives voting no were: Johnson G, Mitchell -- 2

A motion to reconsider was tabled.

House Bill No. 2165 -- Taxes, Real Property - As introduced, makes various changes to delinquent property tax procedures including allowing official tax number to be used as concise description and clarifying property tax doesn't have to be filed as claim in probate. - Amends TCA Title 30, Chapter 2 and Title 67, Chapter 5. by *Sargent. (*SB2128 by *Johnson)

Further consideration of House Bill No. 2165 previously considered on April 9, 2014, at which time it was reset for today's Calendar.

On motion, House Bill No. 2165 was made to conform with **Senate Bill No. 2128**; the Senate Bill was substituted for the House Bill.

Rep. Sargent moved that Senate Bill No. 2128 be passed on third and final consideration.

Rep. M. Hill moved that Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved that **Senate Bill No. 2128** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Swann, Tidwell, Todd, Towns, Travis, Turner J, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

***House Bill No. 2427** -- Insurance Companies, Agents, Brokers, Policies - As introduced, enacts the "Unclaimed Life Insurance Benefits Act". - Amends TCA Title 56; Title 62 and Title 66. by *Sargent, *Ragan. (SB2516 by *Ketron)

Further consideration of House Bill No. 2427 previously considered on April 9, 2014, at which time it was reset for today's Calendar.

On motion, House Bill No. 2427 was made to conform with **Senate Bill No. 2516**; the Senate Bill was substituted for the House Bill.

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Rep. Sargent moved that Senate Bill No. 2516 be passed on third and final consideration.

Rep. McManus moved that Insurance and Banking Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Alexander moved that Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. Alexander moved adoption of Finance, Ways & Means Committee Amendment No. 2, as House Amendment No. 3, as follows:

Amendment No. 3

AMEND Senate Bill No. 2516 by adding the following new subdivision to § 56-7-3404(a) in Section 1:

(4) The comparison required by this section shall not be applicable to group life insurance policies for which the insurer does not perform record keeping services.

On motion, Finance, Ways & Means Committee Amendment No. 2, as House Amendment No. 3, was adopted.

Rep. Marsh moved the previous question, which motion prevailed.

Rep. Sargent moved that **Senate Bill No. 2516**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes..... 4

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

Representatives voting no were: Gilmore, Jones, Mitchell, Turner M -- 4

A motion to reconsider was tabled.

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***House Bill No. 643** -- Campaigns and Campaign Finance - As introduced, removes prohibition on insurance companies making campaign contributions; increases contribution limits for political party and caucus campaign committees. - Amends TCA Title 2, Chapter 10 and Title 56, Chapter 3. by *Casada. (SB787 by *Watson, *Ramsey)

Further consideration of House Bill No. 643 previously considered on April 11, 2013, April 17, 2013 and April 9, 2014, at which time it was reset for today's Calendar.

Rep. Casada moved that House Bill No. 643 be reset for the last space on the last Regular Calendar, which motion prevailed.

***Senate Bill No. 1892** -- Criminal Offenses - As introduced, creates crimes of using an unmanned aircraft with intent to conduct surveillance, capturing or using an image captured by an unmanned aircraft, surreptitious commercial surveillance and aggravated surreptitious commercial surveillance. - Amends TCA Title 29 and Title 39. by *Stevens, *Bowling, *Norris, *Campfield. (HB1779 by *Johnson C, *Hardaway, *Holt)

Further consideration of Senate Bill No. 1892 previously considered on today's Calendar.

Rep. C. Johnson moved that Senate Bill No. 1892 be passed on third and final consideration.

Rep. Calfee moved the previous question, which motion prevailed by the following vote:

Ayes	64
Noes.....	23

Representatives voting aye were: Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Coley, Cooper, Dean, Doss, Eldridge, Faison, Farmer, Floyd, Forgety, Halford, Hall, Hardaway, Hawk, Holt, Johnson C, Keisling, Lamberth, Littleton, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Moody, Pitts, Pody, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Swann, Tidwell, Todd, Travis, Turner J, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Womick, Madam Speaker Harwell -- 64

Representatives voting no were: Armstrong, Camper, DeBerry J, Dennis, Dunn, Evans, Fitzhugh, Gilmore, Haynes, Hill M, Hill T, Jernigan, Johnson G, Kane, Lollar, Lundberg, Odom, Parkinson, Powell, Ragan, Towns, Turner M, Wirgau -- 23

Rep. C. Johnson moved that **Senate Bill No. 1892** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	76
Noes.....	15
Present and not voting.....	4

Representatives voting aye were: Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dean, DeBerry J, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Hill

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M, Hill T, Holt, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Marsh, Matheny, Matlock, McDaniel, McManus, Miller, Moody, Pitts, Pody, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 76

Representatives voting no were: Armstrong, Dennis, Favors, Gilmore, Haynes, Jernigan, Johnson G, Jones, Lundberg, Odom, Parkinson, Powell, Ragan, Towns, Turner M -- 15

Representatives present and not voting were: Akbari, Evans, Love, McCormick -- 4

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “aye” to “no” on the **Senate Bill No. 1892** and have this statement entered in the Journal: Rep(s). McManus.

REGULAR CALENDAR, CONTINUED

Senate Bill No. 2406 -- Criminal Offenses - As introduced, revises intent required for the offense of acquiring control over an animal facility to include the intent to deprive the owner of the facility or disrupt the enterprise conducted at such facility; present law requires there be an intent to deprive the owner and to disrupt such enterprise. - Amends TCA Title 39, Chapter 14, Part 8. by * Gresham, *Bowling, *Burks (*HB2258 by *Holt)

Further consideration of Senate Bill No. 2406 previously considered on today's Calendar.

Rep. Holt moved that Senate Bill No. 2406 be passed on third and final consideration.

Rep. Marsh moved the previous question, which motion prevailed.

Rep. Holt moved that **Senate Bill No. 2406** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	64
Noes.....	26
Present and not voting.....	1

Representatives voting aye were: Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, DeBerry J, Dennis, Doss, Dunn, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Hill M, Hill T, Holt, Johnson C, Kane, Keisling, Littleton, Lollar, Marsh, Matheny, Matlock, McDaniel, Moody, Pody, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Swann, Travis, Watson, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick -- 64

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Representatives voting no were: Akbari, Armstrong, Camper, Cooper, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Johnson G, Jones, Love, McManus, Miller, Mitchell, Odom, Parkinson, Pitts, Powell, Stewart, Tidwell, Todd, Towns, Turner J, Turner M, Williams K -- 26

Representatives present and not voting were: Dean -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on the **Senate Bill No. 2406** and have this statement entered in the Journal: Rep(s). Lamberth and Van Huss.

SPECIAL ORDER

Without objection, Rep. McCormick moved the House take up the Message Calendar at this time, which motion prevailed.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 702** -- Schools, Charter - As introduced, extends from 10 days to 20 days the time for appeal from a decision denying an application from the LEA to the state board of education. - Amends TCA Title 49. by *White M, *Carter, *Hawk, *Harrison. (SB830 by *Gresham, *Kelsey, *Green)

Senate Amendment No. 5

AMEND House Bill No. 702 by deleting in the directory language of Section 1 the language “subdivision (4)” and substituting instead “subdivision (5)” and by deleting in the amendatory language of Section 1 the language “(4)” and substituting instead “(5)”.

AND FURTHER AMEND by deleting Section 6 in its entirety and substituting instead the following:

SECTION 6. Tennessee Code Annotated, Section 49-13-108(a)(1), is amended by deleting the subdivision in its entirety and substituting instead the following:

(1) This section shall apply only to applications for new charter schools under § 49-13-106(b)(1) that are submitted to an LEA.

AND FURTHER AMEND by deleting in the directory language of Section 7 the language “49-13-108(a)(3)” and substituting instead the language “49-13-108(a)(4)” and

by deleting in the amendatory language of Section 7 the language “(3)” and substituting instead the language “(4)”:

AND FURTHER AMEND by deleting in subdivision (c)(2) of the amendatory language of Section 15 the language “49-13-108(a)(3)” and substituting instead the language “49-13-108(a)(4)”.

AND FURTHER AMEND by deleting in its entirety Section 17 (the effective date section) and substituting instead the following:

SECTION 17. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to appeals from the denial of applications filed by sponsors for charter schools proposing to open in the 2015-2016 school year and school years thereafter.

Rep. Haynes moved the previous question on Senate Amendment No. 5 to **House Bill No. 702**, which motion prevailed by the following vote:

Ayes 63
Noes..... 32

Representatives voting aye were: Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr J, Carter, Casada, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill T, Holt, Johnson C, Kane, Lamberth, Littleton, Lollar, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Rich, Sanderson, Sargent, Sexton, Shipley, Sparks, Spivey, Swann, Todd, Travis, Van Huss, Watson, Weaver, White D, White M, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 63

Representatives voting no were: Akbari, Armstrong, Camper, Carr D, Coley, Cooper, DeBerry J, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Johnson G, Jones, Keisling, Love, Miller, Mitchell, Odom, Parkinson, Pitts, Powell, Rogers, Shaw, Shepard, Stewart, Tidwell, Towns, Turner J, Turner M, Williams K, Windle -- 32

Rep. M. White moved that the House concur in Senate Amendment No. 5 to **House Bill No. 702**, which motion prevailed by the following vote:

Ayes 61
Noes..... 28
Present and not voting..... 1

Representatives voting aye were: Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr J, Carter, Casada, Coley, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill T, Holt, Johnson C, Kane, Lamberth, Littleton, Lollar, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Pody, Powers, Ragan, Rich, Rogers, Sanderson, Sargent, Sexton, Shipley, Sparks, Spivey, Swann, Todd, Travis, Watson, Weaver, White D, White M, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 61

Representatives voting no were: Akbari, Armstrong, Camper, Carr D, Cooper, Evans, Favors, Fitzhugh, Jernigan, Johnson G, Jones, Keisling, Love, Miller, Mitchell, Odom, Parkinson, Pitts, Powell, Ramsey, Shaw, Shepard, Stewart, Tidwell, Turner J, Turner M, Williams K, Windle -- 28

Representatives present and not voting were: Gilmore -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “no” in concurring with Senate Amendment No. 5 to **House Bill No. 702** and have this statement entered in the Journal: Rep(s). Hardaway.

MESSAGE CALENDAR, CONTINUED

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1199 -- Eminent Domain - As introduced, grants certain property owners, or their heirs or assigns, whose land is taken by eminent domain the right to repurchase such property in certain circumstances; requires local legislative bodies to conduct public hearings and a majority vote prior to taking property by eminent domain. - Amends TCA Title 29, Chapter 17. by *Ragan, *Haynes, *Rogers. (*SB959 by *McNally, *Bowling, *Campfield)

Senate Amendment No. 2

AMEND House Bill No. 1199 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 17, Part 10, is amended by adding the following as a new, appropriately designated section:

29-17-10__.

In any case in which a county or municipality exercises the power of eminent domain under this chapter, chapter 16 of this title or any other law, and the condemning entity determines the property condemned or taken by eminent domain is not used for the purpose or purposes for which it was condemned or for some other authorized public use, or if the condemning entity subsequently decides to sell it within ten (10) years of being condemned or taken, the property shall be first offered for sale to the person or persons from whom the property was condemned or taken. The person from whom the property was condemned or taken shall have thirty (30) days in which to sign an agreement to purchase the property. The former property owner may purchase the property for an amount representing not less than the fair market value, together with costs. If the property is not purchased by the former property owner within thirty (30) days the property shall be offered for sale in any commercially reasonable manner to

the general public. The property shall be sold for an amount not less than the fair market value, together with costs. The good faith effort by the condemning entity to locate and contact the former property owner satisfies this section and the sale shall be valid. The former property owner's right shall not transfer to the owner's heirs.

SECTION 2. This act shall take effect July 1, 2014, the public welfare requiring it.

Rep. Ragan moved that the House concur in Senate Amendment No. 2 to **House Bill No. 1199**, which motion prevailed by the following vote:

Ayes 89
Noes 1

Representatives voting aye were: Akbari, Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Swann, Tidwell, Todd, Travis, Turner J, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 89

Representatives voting no were: Mitchell -- 1

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 1549** -- Education - As introduced, establishes requirements for the adoption of educational standards; prohibits use of student data for purposes other than tracking academic progress and educational needs of students. - Amends TCA Title 49. by *Dunn, *Rogers, *Weaver, *White D, *Casada, *Matheny, *Carr J, *Matlock, *Womick, *Spivey, *Moody, *Butt, *McManus, *Brooks H, *White M, *Forgety, *Holt, *VanHuss, *Hill M, *Faison, *Rich, *Haynes, *Lamberth, *Eldridge, *Keisling, *Bailey, *McCormick, *Brooks K, *Dennis, *Evans, *Sparks, *Durham, *Dean, *Swann, *Wirgau, *Ragan, *Johnson C, *Halford, *Todd, *Williams R, *Lundberg, *Coley, *Lynn, *Sexton, *Marsh, *Carter, *Sargent, *Lollar, *Travis, *Littleton. (SB1835 by *Gresham, *Tracy, *Haile, *Johnson, *Bowling, *Campfield, *Norris)

Rep. Dunn moved that the House refuse to recede from its action in nonconcurring in Senate Amendment(s) No(s). 2 and 3 to **House Bill No. 1549**, which motion prevailed.

CONFERENCE COMMITTEE APPOINTED ON HOUSE BILL NO. 1549

Pursuant to **Rule No. 73**, Representative Dunn moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on House Bill No. 1549, which motion prevailed.

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

The Speaker appointed Representatives Dunn, Spivey and J. DeBerry as the House members of the Conference Committee on House Bill No. 1549.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1640 -- Sunset Laws - As introduced, extends the Tennessee board of judicial conduct, June 30, 2018. - Amends TCA Title 4, Chapter 29, Part 2 and Title 17, Chapter 5, Part 2. by *Matheny, *Ragan. (*SB1566 by *Bell)

Senate Amendment No. 1

AMEND House Bill No. 1640 By adding the following sections immediately preceding the effective date section and redesignating the effective date section accordingly:

SECTION __. Tennessee Code Annotated, Section 17-5-201(a)(6), is amended by deleting the language “who are not judges” and substituting instead the language “who are not salaried judges”.

SECTION __. Tennessee Code Annotated, Section 17-5-201(a)(7), is amended by deleting the language “who are not judges” and substituting instead the language “who are not salaried judges”.

SECTION __. Tennessee Code Annotated, Section 17-5-201(a)(8), is amended by deleting the language “who are not judges” and substituting instead the language “who are not salaried judges”.

SECTION __. Tennessee Code Annotated, Section 17-5-207(b), is amended by adding the following language as a new subdivision thereto:

(9) A list of votes taken by each board member as follows:

(A) The member’s name;

(B) The total number of times the member voted to dismiss a complaint while on an investigative panel; and

(C) The total number of times the member voted to authorize an investigation while on an investigative panel.

Rep. Matheny moved that the House concur in Senate Amendment No. 1 to **House Bill No. 1640**, which motion prevailed by the following vote:

Ayes 95
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry

J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “aye” to “no” in concurring with Senate Amendment No. 5 to **House Bill No. 702** and have this statement entered in the Journal: Rep(s). Lollar.

PRESENT IN CHAMBER

Representative(s) Lynn was/were recorded as being present in the Chamber.

MESSAGE CALENDAR, CONTINUED

HOUSE ACTION ON SENATE MESSAGES

House Bill No. 2048 -- Criminal Offenses - As introduced, prohibits a private entity that performs criminal background checks from reporting that a person has been convicted of an offense, if the offense has been expunged. - Amends TCA Title 40. by *Gilmore, *Hardaway, *Cooper, *Favors, *Camper, *Akbari, *Turner J. (*SB2149 by *Tate)

Rep. Gilmore moved that House Bill No. 2048 be moved to the heel of the Message Calendar, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 2445** -- Agriculture - As introduced, authorizes growing of industrial hemp subject to regulation by the department of agriculture. - Amends TCA Title 39; Title 43; Title 53 and Title 67. by *Faison, *Casada, *Miller, *Holt, *Hardaway, *Sexton, *Bailey, *Lynn, *Tidwell, *Powell, *Parkinson. (SB2495 by *Niceley, *Bowling, *Green)

Senate Amendment No. 1

AMEND House Bill No. 2445 By deleting all of the language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-402, is amended by adding the following language immediately preceding the semicolon

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at the conclusion of the existing language in the definition of “marijuana” contained in subdivision (16):

. “Marijuana” also does not include industrial hemp, as defined in § 43-41-101; provided, however, that industrial hemp shall be deemed marijuana in circumstances where such classification is required by § 43-41-103

SECTION 2. Tennessee Code Annotated, Section 39-17-415, is amended by adding the following language as a new subsection:

(c) Nothing in this section shall be construed to categorize industrial hemp, as defined in § 43-41-101, as a controlled substance; provided, however, that industrial hemp shall be categorized as a controlled substance in circumstances where such classification is required by § 43-41-103.

SECTION 3. Tennessee Code Annotated, Section 43-26-102, is amended by adding the language “industrial hemp, as defined in § 43-41-101;” between the language “grasses;” and the word “trees” in the definition of “farm product” contained in subdivision (3).

SECTION 4. Tennessee Code Annotated, Title 43, is amended by adding the following as a new chapter:

43-41-101. As used in this chapter, “industrial hemp” means the plants and plant parts of the genera cannabis that do not contain a delta-9 tetrahydrocannabinol (THC) concentration more than three tenths of one percent (0.3%) on a dry mass basis, grown from seed certified by a certifying agency, as defined by § 43-10-103.

43-41-102.

(a) The department of agriculture shall regulate the growing of industrial hemp, as defined in § 43-41-101, in this state.

(b) The department shall issue licenses to persons who apply to the department for a license to grow industrial hemp.

(c) The department shall promulgate rules, pursuant to the Uniform Administrative Procedures Act, compiled at title 4, chapter 5, concerning industrial hemp production within one hundred and twenty (120) days of this act becoming law, including rules establishing reasonable license fees in an amount sufficient to offset the cost of implementing and administering the industrial hemp program in this state.

(d) All revenue collected from industrial hemp license fees shall be used exclusively for the regulation of the growing of industrial hemp in this state.

43-41-103. No person shall grow industrial hemp in this state without first obtaining a license from the department. The department is authorized to inspect the hemp crop of any person who is licensed to grow industrial hemp to ensure that the licensee is in compliance with this chapter and any rules promulgated pursuant to this chapter. Any industrial hemp crop that is grown without a license will be deemed to be marijuana under § 39-17-415.

SECTION 5. Tennessee Code Annotated, Section 43-37-103, is amended by deleting all of the existing language in the section and by substituting instead the following language:

Nothing in this chapter shall be construed to authorize the development of or research relative to any strain or variety of cannabis other than industrial hemp, as defined by § 43-41-101.

SECTION 6. Tennessee Code Annotated, Section 67-4-2802, is amended by adding the following language immediately preceding the semicolon at the conclusion of the existing language in the definition of "marijuana" contained in subdivision (7):

. "Marijuana" does not include industrial hemp, as defined in § 43-41-101

SECTION 7. For purposes of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it, and shall take effect on July 1, 2014, for all other purposes, the public welfare requiring it.

Senate Amendment No. 2

AMEND House Bill No. 2445 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 43-41-102(c), is amended by deleting the subsection in its entirety and substituting instead the following:

(c) The department shall initiate the promulgation of rules, pursuant to the Uniform Administrative Procedures Act, compiled at title 4, chapter 5, concerning industrial hemp production within one hundred and twenty (120) days of this act becoming law, including rules establishing reasonable license fees in an amount sufficient to offset the cost of implementing and administering the industrial hemp program in this state.

Rep. Faison moved that the House concur in Senate Amendment(s) No(s). 1 and 2 to **House Bill No. 2445**.

CHAIR TO JOHNSON

Madam Speaker Harwell relinquished the Chair to Rep. C. Johnson, Speaker Pro Tempore.

CHAIR TO SPEAKER

Madam Speaker Harwell resumed the Chair.

MESSAGE CALENDAR, CONTINUED

Rep. Faison moved that House Bill No. 2445 be reset for the Message Calendar on April 15, 2014, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 2500** -- Public Funds and Financing - As introduced, specifies how proceeds from the sale and conveyance of surplus real property or improvements used for state forestry or other operations of the department of agriculture are to be used; revises other various statutory provisions required for implementation of the annual appropriations act. - Amends TCA Title 4; Title 5; Title 6; Title 8; Title 9; Title 10; Title 11; Title 12; Title 13; Title 16; Title 17; Title 18; Title 29; Title 33; Title 36; Title 37; Title 38; Title 39; Title 40; Title 41; Title 43; Title 45; Title 47; Title 48; Title 49; Title 50; Title 53; Title 54; Title 55; Title 56; Title 57; Title 58; Title 59; Title 60; Title 62; Title 63; Title 64; Title 65; Title 66; Title 67; Title 68; Title 69; Title 70 and Title 7. by *Sargent, *McCormick. (SB2597 by *Norris)

Senate Amendment No. 2

AMEND House Bill No. 2500 by adding the following new sections immediately preceding the severability clause section and by renumbering the subsequent sections accordingly:

SECTION __. Tennessee Code Annotated, Section 4-3-1016, is amended in subsection (f) by deleting the word "and" after the language "2009," and inserting the language "and June 30, 2014" immediately after the date "2011".

SECTION __. Tennessee Code Annotated, Section 4-3-1016, is further amended in subsection (f) by deleting all language following "or programs:" and by substituting instead the following:

(1) Department of transportation funds, reserve accounts and programs in the highway fund or other funds created or referenced in titles 54, 55, 57, 65 and 67, except as otherwise provided by law;

(2) Department of commerce and insurance, state board of accountancy fund, created or referenced in title 62, chapter 1, part 1;

(3) Department of commerce and insurance, division of regulatory boards fund, created or referenced in title 56, chapter 1, part 3; and

(4) Department of health, health-related boards fund, created or referenced in title 63, chapter 1, part 1.

Rep. Sargent move to concur in Senate Amendment No. 2 to House Bill No. 2500.

Rep. Sargent moved that House Bill No. 2500 be reset for the next available Message Calendar, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 2048 -- Criminal Offenses - As introduced, prohibits a private entity that performs criminal background checks from reporting that a person has been convicted of an offense, if the offense has been expunged. - Amends TCA Title 40. by *Gilmore, *Hardaway, *Cooper, *Favors, *Camper, *Akbari, *Turner J. (*SB2149 by *Tate)

Rep. Gilmore moved to non-concur in Senate Amendment No. 1 to House Bill No. 2048, which motion prevailed.

BRIEF RECESS

Without objection, Rep. McCormick moved that the House stand in recess for 10 minutes.

RECESS EXPIRED

The recess having expired, the House was called to order by Madam Speaker Harwell.

ROLL CALL DISPENSED WITH

On motion of Rep. McCormick, the roll call was dispensed with.

SPECIAL ORDER

Without objection, Rep. McCormick moved the House take up Regular Calendar No. 3 and take up item number 52, House Bill No. 1466, out of order at this time as follows:

***House Bill No. 1466** -- Pharmacy, Pharmacists - As introduced, establishes requirements for obtaining identification when certain drugs are dispensed. - Amends TCA Title

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53, Chapter 11, Part 3. by *Ramsey, *Dunn, *Ragan, *Coley, *Stewart, *Lamberth. (SB1832 by *Yager, *Burks, *Campfield)

On motion, House Bill No. 1466 was made to conform with **Senate Bill No. 1832**; the Senate Bill was substituted for the House Bill.

Rep. Ramsey moved that Senate Bill No. 1832 be passed on third and final consideration.

Rep. R. Williams moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Ramsey moved that **Senate Bill No. 1832** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	99
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 99

A motion to reconsider was tabled.

REGULAR CALENDAR NO. 3, CONTINUED

***House Bill No. 1396** -- Child Custody and Support - As introduced, allows a person who is not in compliance with child support obligations to receive a restricted driver license that permits driving to and from the person's regular place of employment. - Amends TCA Title 36, Chapter 5. by *Lamberth, *Gilmore, *Love, *Towns, *Cooper, *Sparks, *Favors, *Dean, *Durham, *Camper, *Turner J, *Hardaway. (SB1789 by *Haile)

Rep. Lamberth moved that House Bill No. 1396 be passed on third and final consideration.

Rep. Lundberg moved adoption of Civil Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1396 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 36-5-701, is amended by adding the following as a new, appropriately designated subdivision:

() “Restricted license” means a license that allows a person to operate a motor vehicle for the limited purposes of going to and from and working at the person's regular place of employment and going to and from the person's school and does not include a commercial driver license of any kind;

SECTION 2. Tennessee Code Annotated, Section 36-5-702(a), is amended by deleting the language “denial, or suspension” and by substituting instead the language “denial, suspension or restriction”.

SECTION 3. Tennessee Code Annotated, Section 36-5-702(b)(1), is amended by deleting the semicolon at the end of the subdivision and by substituting instead the following:

, which may include eligibility for a restricted license pursuant to § 36-5-714;

SECTION 4. Tennessee Code Annotated, Section 36-5-702(b)(6), is amended by deleting the language “or refuse to issue or reinstate a license” and substituting instead the language “refuse to issue or reinstate a license or issue a restricted license”.

SECTION 5. Tennessee Code Annotated, Section 36-5-705, is amended by redesignating the current language as subsection (a) and by adding the following subsection (b):

(b) The department shall certify in writing or by electronic data exchange to the department of safety that an obligor is not in compliance with an order of support but is eligible for a restricted license if the department enters into an agreement that includes eligibility for a restricted license, pursuant to § 36-5-714.

SECTION 6. Tennessee Code Annotated, Section 36-5-706, is amended by deleting subsection (a) and by substituting instead the following:

(a) Notwithstanding any other law, rule or regulation to the contrary, the certification from the department under § 36-5-705 shall be a basis for the denial, suspension or revocation of a license, for refusal to issue or reinstate a license by a licensing authority or for the issuance of a restricted license.

SECTION 7. Tennessee Code Annotated, Section 36-5-706(b), is amended by deleting the subsection in its entirety and by substituting instead the following:

(b) The licensing authority shall notify, without undue delay, by regular mail, an obligor certified from the department under § 36-5-705, that:

(1) The obligor's application for the issuance, renewal or reinstatement of a license has been denied;

(2) The obligor's current license has been suspended or revoked because the obligor's name has been certified by the department as an obligor who is not in compliance with an order of support; or

(3) The obligor's current driver license has been revoked because the obligor's name has been certified by the department as an obligor who is not in compliance with an order of support but eligible for a restricted license. The notice shall include information on the process for obtaining a restricted license and paying any restricted license fee required by the department of human services.

SECTION 8. Tennessee Code Annotated, Section 36-5-706(d), is amended by deleting the word “revoke” and by substituting instead the language “revoke, restrict”.

SECTION 9. Tennessee Code Annotated, Section 36-5-707, is amended by deleting the word “revocation” wherever it appears and by substituting instead the language “revocation, restriction”.

SECTION 10. Tennessee Code Annotated, Section 36-5-707, is further amended by deleting the word “revoked” in subdivision (b)(1) and substituting instead the language “revoked, restricted”.

SECTION 11. Tennessee Code Annotated, Section 36-5-711, is amended by deleting the language “suspended” and by substituting instead the language “suspended, restricted”.

SECTION 12. Tennessee Code Annotated, Title 36, Chapter 5, Part 7, is amended by adding the following as a new section:

36-5-714.

(a) If the obligor attempts to enter into a satisfactory arrangement with the department for the payment of arrears, the department may permit the obligor to be eligible for a restricted license for the purpose of driving to and from and working at the obligor's regular place of employment and going to and from the obligor's school.

(b) In order to be eligible for a restricted license pursuant to subsection (a), the obligor shall:

- (1) Be employed for at least thirty (30) hours per week;
- (2) Have a place of employment or school that is located more than one (1) mile from the obligor's place of residence;
- (3) Show that the employment or educational endeavor can reasonably be expected to contribute to bringing the obligor into compliance with the support order in a timely manner;
- (4) Enter into a payment plan that is satisfactory to the department; and
- (5) Pay the restricted license fee required by subsection (f).

(c) If at any time the department finds the obligor is no longer in compliance with the requirements of the agreement, the obligor shall be subject to license revocation pursuant to this part.

(d) Nothing in this section shall prohibit a licensing authority from denying, suspending or revoking any license other than a license to operate a motor vehicle when an obligor is found eligible to receive a restricted license.

(e) Any time an obligor, who is eligible for a restricted license due to an agreement with the department, operates a motor vehicle, the obligor shall maintain in the obligor's possession the agreement stating the restrictions to be placed on the license. An obligor who operates a motor vehicle without the agreement in the obligor's possession or outside the restrictions imposed by the agreement shall be considered to be driving while the obligor's driver license is revoked pursuant to § 55-50-504.

(f) The department shall charge a restricted license fee, not to exceed thirty dollars (\$30), the proceeds of which shall be used to implement this section. The department shall annually review the fees collected pursuant to this subsection (f) and the costs of implementation to determine the need for a reduction or increase in the fee. The commissioner is authorized to promulgate rules to effectuate the purposes of this subsection (f). All such rules shall be promulgated in accordance with Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 13. This act shall take effect July 1, 2015, the public welfare requiring it.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. K. Williams moved the previous question, which motion prevailed.

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Rep. Lamberth moved that **House Bill No. 1396**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 99
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 99

A motion to reconsider was tabled.

House Bill No. 1442 -- Corporations, Not for Profit - As introduced, revises laws relating to non-profit corporations. - Amends TCA Title 48. by *Lamberth. (*SB1505 by *Johnson)

On motion, House Bill No. 1442 was made to conform with **Senate Bill No. 1505**; the Senate Bill was substituted for the House Bill.

Rep. Lamberth moved that Senate Bill No. 1505 be passed on third and final consideration.

Rep. Lundberg moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Towns moved the previous question, which motion prevailed.

Rep. Lamberth moved that **Senate Bill No. 1505** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 99
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 99

A motion to reconsider was tabled.

SPECIAL ORDER

Without objection, Rep. Odom moved the House take up item number 39 on today's Regular Calendar No. 3, House Bill No. 2097, out of order at this time as follows:

***House Bill No. 2097** -- Highway Signs - As introduced, designates certain state-owned parkland along I-440 Parkway in Davidson County as the "Senator Douglas Henry Urban Conservation District" and prohibits the property from being developed. by *Odom, *Gilmore. (SB2490 by *Dickerson, *Bowling, *Summerville)

Rep. Odom moved that House Bill No. 2097 be passed on third and final consideration.

Rep. Dean moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Haynes moved adoption of State Government Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND House Bill No. 2097 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Notwithstanding any law to the contrary, the department of transportation is encouraged to transfer the state-owned portion of land between Belmont Boulevard and Interstate 65 in Davidson County, except such land as needed for the right-of-way of Interstate 440, to the Metropolitan Government of Nashville and Davidson County in perpetuity so long as the property is maintained as parkland. Except for the areas designated as the "Battle of Nashville Monument Park" and "The Charles A. Howell, III, Descendants Park", any land not transferred to the Metropolitan Government of Nashville and Davidson County for parkland may be disposed of in accordance with § 12-2-112.

SECTION 2. The department of transportation is directed to erect suitable markers at the intersection of Gale Lane and Lealand Lane in Davidson County, on land currently leased to the Metropolitan Government of Nashville and Davidson County for parkland, designating the area as the "Senator Douglas Henry Urban Conservation District".

SECTION 3. Any additional land transferred to the Metropolitan Government of Nashville and Davidson County for parkland as provided in Section 1 shall also be designated as part of the "Senator Douglas Henry Urban Conservation District" and shall be identified with suitable markers.

SECTION 4. The erection of such directional signs shall be within the guidelines prescribed by the Manual on Uniform Traffic Control Devices.

SECTION 5. This act shall become operative only if the federal highway administrator advises the commissioner of transportation in writing that the provisions of this act shall not render Tennessee in violation of federal laws and regulations and subject to penalties prescribed therein.

SECTION 6. This act shall become operative only if the cost of the manufacture and installation of such signs is paid to the department of transportation from non-state funds within one (1) year of the effective date of this act. Such payment shall be made prior to any expenditure by the state for the manufacture or installation of such signs. The department shall return any unused portion of the estimated cost to the person or entity paying for such signs within thirty (30) days of the erection of such signs. If the actual cost exceeds the estimated cost, an amount equal to the difference in such costs shall be remitted to the department in non-state funds within thirty (30) days of the sponsoring person or entity receiving an itemized invoice of the actual cost from the department.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, State Government Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 3, as follows:

Amendment No. 3

AMEND House Bill No. 2097 by deleting the language "Conversation" in SECTION 3 of the bill and by substituting instead the language "Conservation".

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 3, was adopted.

Rep. Towns moved the previous question, which motion prevailed.

Rep. Odom moved that **House Bill No. 2097**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 98
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell,

Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

A motion to reconsider was tabled.

REGULAR CALENDAR NO. 3, CONTINUED

House Bill No. 2381 -- Boards and Commissions - As introduced, directs that a plan for the implementation of an apprentice program be created for certain state agencies. - Amends TCA Title 4; Title 62; Title 63 and Title 68, Chapter 1. by *Lynn. (*SB2053 by *Bell)

On motion, House Bill No. 2381 was made to conform with **Senate Bill No. 2053**; the Senate Bill was substituted for the House Bill.

Rep. Lynn moved that **Senate Bill No. 2053** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 99
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 99

A motion to reconsider was tabled.

House Bill No. 2380 -- Real Property - As introduced, requires the posting of a bond or other guarantee for unfinished streets and other infrastructure projects in an approved subdivision plat before a building permit may be issued; requires that the approved subdivision plat be recorded in the county register of deeds before a building permit may be issued. - Amends TCA Title 13, Chapter 3, Part 4 and Title 13, Chapter 4, Part 3. by *Lynn. (*SB2108 by *Bowling)

Rep. Lynn moved that House Bill No. 2380 be passed on third and final consideration.

Rep. M. Hill moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2380 by deleting the semicolon (;) at the end of subdivision 2(B) in the amendatory language of Section 1 of the bill and substituting instead the following:

. This subdivision (a)(2)(B) shall not be construed to require duplicate bonds or to require additional bonds when an adequate bond to complete the infrastructure is already in effect. This subdivision (a)(2)(B) shall not be construed as requiring a building contractor to post the bond required by § 13-3-403 on the infrastructure for the subdivision if such building contractor is not a developer of the subdivision;

AND FURTHER AMEND by deleting the semicolon (;) at the end of subdivision (a)(1)(B)(ii) in the amendatory language of Section 3 of the bill and substituting instead the following:

. This subdivision (a)(1)(B)(ii) shall not be construed to require duplicate bonds or to require additional bonds when an adequate bond to complete the infrastructure is already in effect. This subdivision (a)(1)(B)(ii) shall not be construed as requiring a building contractor to post the bond required by § 13-3-403 on the infrastructure for the subdivision if such building contractor is not a developer of the subdivision;

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Lynn moved that **House Bill No. 2380**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 98
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

A motion to reconsider was tabled.

***House Joint Resolution No. 932** -- General Assembly, Statement of Intent or Position
- Urges Congress to quickly develop a long-term plan to stabilize and grow highway trust fund revenues to achieve certain purposes. by *Sanderson.

Rep. Sanderson moved adoption of House Joint Resolution No. 932.

Rep. Dean moved the previous question, which motion prevailed.

Rep. Sanderson moved adoption of **House Joint Resolution No. 932**, which motion prevailed by the following vote:

Ayes 98
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

A motion to reconsider was tabled.

House Bill No. 2137 -- Alcoholic Beverage Commission - As introduced, revises qualifications for employee and server permits issued by the commission. - Amends TCA Title 57, Chapter 4 and Title 57, Chapter 3. by *Sanderson. (*SB2261 by *Yager)

On motion, House Bill No. 2137 was made to conform with **Senate Bill No. 2261**; the Senate Bill was substituted for the House Bill.

Rep. Sanderson moved that Senate Bill No. 2261 be passed on third and final consideration.

Rep. Haynes moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2261 by deleting SECTION 3 of the bill in its entirety and by redesignating the remaining sections accordingly.

On motion, State Government Committee Amendment No. 1 was adopted.

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Rep. Sanderson moved that **Senate Bill No. 2261**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	78
Noes.....	8
Present and not voting.....	6

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Calfee, Carr D, Carr J, Casada, Coley, Cooper, Dennis, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Odom, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Rich, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Spivey, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Wirgau, Madam Speaker Harwell -- 78

Representatives voting no were: Dean, Dunn, Floyd, Holt, Matlock, Moody, Stewart, Windle -- 8

Representatives present and not voting were: Butt, Doss, Evans, Powers, Roach, Sparks -- 6

A motion to reconsider was tabled.

***House Bill No. 2461** -- Controlled Substances - As introduced, requires the law enforcement agency responsible for the investigation and arrest that resulted in a drug conviction to submit by July 1 of each year rather than August 1, to the comptroller, a report of the funds collected and paid to the general fund of the governing body. - Amends TCA Title 39; Title 53 and Title 63. by *Carter, *Williams R, *Ramsey, *Faison, *Casada, *Sexton, *Calfee. (SB2531 by *Gardenhire, *Green, *Dickerson, *Bowling, *Burks, *Haile, *Campfield, *Massey)

On motion, House Bill No. 2461 was made to conform with **Senate Bill No. 2531**; the Senate Bill was substituted for the House Bill.

Rep. Carter moved that Senate Bill No. 2531 be passed on third and final consideration.

Rep. Ramsey moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. R. Williams moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 2531 By inserting the language “including the necessary seeds and plants,” in subdivision (16)(B) of the amendatory language of Section 1, as amended, between the language “of tetrahydrocannabinol,” and “when manufactured,”.

AND FURTHER AMEND by deleting Section 3, as amended, in its entirety and by substituting instead the following:

3866

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it, and shall expire at the end of June 30, 2018. On July 1, 2018, the provision of Tennessee Code Annotated, Section 39-17-402, amended by Section 1 shall be revived with its language as it was in effect on April 9, 2014; provided, that such revival shall not repeal or delete any amendment to Section 39-17-402 by Public Chapter ___ of the Acts of 2014 [Senate Bill 2495/ House Bill 2445].

On motion, Amendment No. 2 was adopted.

Rep. Carter moved that **Senate Bill No. 2531**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

House Joint Resolution No. 679 -- Naming and Designating - Designates February as "Turner Syndrome Awareness Month". by *Rogers.

Rep. Rogers moved adoption of **House Joint Resolution No. 679**, which motion prevailed by the following vote:

Ayes 98
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

A motion to reconsider was tabled.

***House Bill No. 1519** -- Criminal Offenses - As introduced, permits prosecution of a woman for illegal use of narcotic drugs taken during pregnancy that results in harm to the fetus or child; adds enrollment in an addiction recovery program as an affirmative defense. - Amends TCA Title 39 and Title 40. by *DeBerry J. (SB2532 by *Burks)

Rep. Fitzhugh requested that House Bill No. 1519 be moved down five places on the Calendar, which motion prevailed.

House Bill No. 1969 -- Children - As introduced, makes the children of armed services personnel who were killed or reported missing in action eligible to attend pilot pre-kindergarten programs and requires licensed child care agencies to prioritize such children on any waiting list for admission. - Amends TCA Title 49 and Title 71. by *Pitts, *Gilmore. (*SB2093 by *Green, *Ketron, *Crowe, *Overbey, *Ford, *Yager)

Rep. Pitts requested that House Bill No. 1969 be moved down three places on the Calendar, which motion prevailed.

House Bill No. 1978 -- Education, Dept. of - As introduced, requires the department of education to provide a fiscal note detailing the financial impact of any proposed rule or policy. - Amends TCA Title 3 and Title 49. by *Pitts. (*SB2101 by *Finney)

On motion, House Bill No. 1978 was made to conform with **Senate Bill No. 2101**; the Senate Bill was substituted for the House Bill.

Rep. Pitts moved that Senate Bill No. 2101 be passed on third and final consideration.

Rep. H. Brooks moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Pitts moved that **Senate Bill No. 2101** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

House Bill No. 2125 -- Teachers, Principals and School Personnel - As introduced, specifies that the provisions regarding suspensions imposed by the director of schools for three days or less apply to suspensions of teachers. - Amends TCA Title 49. by *Pitts. (*SB2370 by *Tate)

On motion, House Bill No. 2125 was made to conform with **Senate Bill No. 2370**; the Senate Bill was substituted for the House Bill.

Rep. Pitts moved that **Senate Bill No. 2370** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on the **Senate Bill No. 2370** and have this statement entered in the Journal: Rep(s). M. Hill.

REGULAR CALENDAR NO. 3, CONTINUED

House Bill No. 1969 -- Children - As introduced, makes the children of armed services personnel who were killed or reported missing in action eligible to attend pilot pre-kindergarten programs and requires licensed child care agencies to prioritize such children on any waiting list for admission. - Amends TCA Title 49 and Title 71. by *Pitts, *Gilmore. (*SB2093 by *Green, *Ketron, *Crowe, *Overbey, *Ford, *Yager)

Further consideration of House Bill No. 1969 previously considered on today’s Calendar.

Rep. Pitts requested that House Bill No. 1969 be moved down five places on the Calendar, which motion prevailed.

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***House Bill No. 2295** -- Education - As introduced, requires a biennial survey of LEAs and public charter schools by the department of education to find programs that encourage and support the study of STEM fields by pre-K-12 students. - Amends TCA Title 49. by *Pitts, *Tidwell. (SB2460 by *Finney)

On motion, House Bill No. 2295 was made to conform with **Senate Bill No. 2460**; the Senate Bill was substituted for the House Bill.

Rep. Pitts moved that Senate Bill No. 2460 be passed on third and final consideration.

Rep. H. Brooks moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. H. Brooks moved adoption of Education Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 2460 by deleting the word "clause" from the directory language "by deleting all language after the caption clause and substituting instead the following language:".

On motion, Education Committee Amendment No. 2 was adopted.

Rep. Pitts moved that **Senate Bill No. 2460**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

***House Bill No. 1519** -- Criminal Offenses - As introduced, permits prosecution of a woman for illegal use of narcotic drugs taken during pregnancy that results in harm to the fetus or child; adds enrollment in an addiction recovery program as an affirmative defense. - Amends TCA Title 39 and Title 40. by *DeBerry J. (SB2532 by *Burks)

Further consideration of House Bill No. 1519 previously considered on today's Calendar.

BILL HELD ON DESK

Rep. J. DeBerry moved that House Bill No. 1519 be held on the Clerk's desk, which motion prevailed.

REGULAR CALENDAR NO. 3, CONTINUED

House Bill No. 2082 -- Teachers, Principals and School Personnel - As introduced, amends the number of days in which a student must be present in the classroom before the students TCAP scores are attributed to the specific teacher or school where the student is enrolled. - Amends TCA Title 49, Chapter 1, Part 6. by *Love. (*SB1863 by *Tate)

On motion, House Bill No. 2082 was made to conform with **Senate Bill No. 1863**; the Senate Bill was substituted for the House Bill.

Rep. Love moved that Senate Bill No. 1863 be passed on third and final consideration.

Rep. H. Brooks moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Love moved that **Senate Bill No. 1863** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Akbari voted "aye" on **Senate Bill No. 1863**.

REGULAR CALENDAR NO. 3, CONTINUED

House Bill No. 1871 -- Education, Curriculum - As introduced, requires every LEA required to provide family life curriculum to provide the department of education and the state

board of education with a list of the specific curriculum used to teach the family life curriculum; requires the report to include the contact information of every individual, non-LEA employee or organization authorized to teach the family life curriculum. - Amends TCA Title 49, Chapter 6, Part 13. by *Coley, *Williams R. (*SB1940 by *Johnson, *Bowling)

On motion, House Bill No. 1871 was made to conform with **Senate Bill No. 1940**; the Senate Bill was substituted for the House Bill.

Rep. Coley moved that Senate Bill No. 1940 be passed on third and final consideration.

Rep. H. Brooks moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Coley requested that House Bill No. 1871 be moved down ten places on the Calendar, which motion prevailed.

House Bill No. 1969 -- Children - As introduced, makes the children of armed services personnel who were killed or reported missing in action eligible to attend pilot pre-kindergarten programs and requires licensed child care agencies to prioritize such children on any waiting list for admission. - Amends TCA Title 49 and Title 71. by *Pitts, *Gilmore. (*SB2093 by *Green, *Ketron, *Crowe, *Overbey, *Ford, *Yager)

Further consideration of House Bill No. 1969 previously considered on today's Calendar.

On motion, House Bill No. 1969 was made to conform with **Senate Bill No. 2093**; the Senate Bill was substituted for the House Bill.

Rep. Pitts moved that Senate Bill No. 2093 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2093 by deleting the language "three (3) and" from subdivision (f)(1)(A) in the amendatory language of SECTION 1.

AND FURTHER AMEND by deleting the language "September 30" from subdivision (f)(1)(B) in the amendatory language of SECTION 1 and by substituting instead the language "August 15".

AND FURTHER AMEND by deleting the language "section (a)" from subsection (b) in the amendatory language of SECTION 2 and substituting instead the language "subdivision (a)(2)".

On motion, Education Committee Amendment No. 1 was adopted.

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Rep. Pitts moved that **Senate Bill No. 2093**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 98
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

A motion to reconsider was tabled.

House Bill No. 1542 -- State Employees - As introduced, credits a state employee with 10 or more years of state service with the equivalent of a GED® for the purposes of retention of state employment, promotion as a state employee, or return to state service. - Amends TCA Title 8. by *Bailey, *Fitzhugh, *Butt, *Swann, *Halford, *Calfee, *Travis, *Keisling, *Holt, *Lollar, *Ragan, *Faison, *Matheny, *Hawk, *Coley, *DeBerry J, *Windle, *Marsh, *Hill T, *Moody, *Pitts, *Jones, *Odom, *Shaw, *Jernigan, *Powell, *Tidwell, *Williams K, *Carr D, *Johnson G. (*SB1705 by *Niceley, *Southerland, *Bowling)

On motion, House Bill No. 1542 was made to conform with **Senate Bill No. 1705**; the Senate Bill was substituted for the House Bill.

Rep. Bailey moved that Senate Bill No. 1705 be passed on third and final consideration.

Rep. Haynes moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Bailey moved that **Senate Bill No. 1705** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 98
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell,

Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Akbari voted “aye” on **Senate Bill No. 1705**.

REGULAR CALENDAR NO. 3, CONTINUED

***House Bill No. 1554** -- Insurance, Health, Accident - As introduced, regulates the use of maximum allowable cost lists by pharmacy benefit managers and covered entities. - Amends TCA Title 56, Chapter 7, Part 31. by *Shepard, *Turner M, *Johnson G, *Jernigan, *Sexton, *Odom, *Sanderson, *Watson, *Goins, *Powers, *Ragan, *Ramsey, *Jones, *Shaw, *Fitzhugh, *Swann, *Alexander, *Pitts, *Weaver, *Littleton, *Lundberg, *Doss. (SB1991 by *Overbey, *Haile, *Bell, *Yager)

Rep. Shepard moved that House Bill No. 1554 be passed on third and final consideration.

Rep. Sargent moved adoption of Pensions and Insurance Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1554 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 56-7-3102, is amended by adding the following appropriately designated subdivisions:

() “Maximum allowable cost list” means a list of drugs, medical products or devices, or both medical products and devices, for which a maximum allowable cost has been established by a pharmacy benefits manager or covered entity. The medical products and devices subject to the requirements of this part are limited to the medical products and devices included as a pharmacy benefit under the pharmacy benefits contract;

() “Maximum allowable cost” means the maximum amount that a pharmacy benefits manager or covered entity will reimburse a pharmacy for the cost of a drug or a medical product or device;

SECTION 2. Tennessee Code Annotated, Title 56, Chapter 7, Part 31, is amended by adding the following new sections thereto:

56-7-3106.

(a) Before a pharmacy benefits manager or covered entity may place a drug on a maximum allowable cost list, the pharmacy benefits manager or covered entity must find that the drug is generally available for purchase by pharmacies in this state from a national or regional wholesaler.

(b) If a drug that has been placed on a maximum allowable cost list no longer meets the requirements of subsection (a), the drug shall be removed from the maximum

allowable cost list by the pharmacy benefits manager or covered entity within five (5) business days after the date that the pharmacy benefits manager or covered entity becomes aware that the drug no longer meets the requirements of subsection (a).

(c) Nothing in this part shall be construed as preventing the pharmacy benefits manager or covered entity from reimbursing claims for a generic drug at the previously determined maximum allowable cost even if the pharmacy benefits manager or covered entity reimburses for the equivalent brand name drug at the contracted brand rate when it has been confirmed by a national or regional wholesaler and by the manufacturer that the generic drug is generally unavailable for purchase from a national or regional wholesaler.

56-7-3107.

(a) A pharmacy benefits manager or covered entity shall make available to each pharmacy with which the pharmacy benefits manager or covered entity has a contract and to each pharmacy included in a network of pharmacies served by a pharmacy services administrative organization with which the pharmacy benefits manager or covered entity has a contract, at the beginning of the term of a contract and upon renewal of a contract:

(1) The sources used to determine the maximum allowable costs for the drugs and medical products and devices on each maximum allowable cost list;

(2) Every maximum allowable cost for individual drugs used by that pharmacy benefits manager or covered entity for patients served by that contracted pharmacy; and

(3) Upon request, every maximum allowable cost list used by that pharmacy benefits manager or covered entity for patients served by that contracted pharmacy.

(b) A pharmacy benefits manager or covered entity shall:

(1) Update each maximum allowable cost list at least every three (3) business days, as required by § 56-7-3104(b);

(2) Make the updated lists available to every pharmacy with which the pharmacy benefits manager or covered entity has a contract and to

every pharmacy included in a network of pharmacies served by a pharmacy services administrative organization with which the pharmacy benefits manager or covered entity has a contract, in a readily accessible, secure and usable web-based format or other comparable format or process; and

(3) Utilize the updated maximum allowable costs to calculate the payments made to the contracted pharmacies within five (5) business days.

56-7-3108.

(a) A pharmacy benefits manager or covered entity shall establish a clearly defined process through which a pharmacy may contest the listed maximum allowable cost for a particular drug or medical product or device.

(b) A pharmacy may base its appeal on one (1) or more of the following:

(1) The maximum allowable cost established for a particular drug or medical product or device is below the cost at which the drug or medical product or device is generally available for purchase by pharmacies in this state from national or regional wholesalers; or

(2) The pharmacy benefits manager or covered entity has placed a drug on the list without properly determining that the requirements of § 56-7-3106 have been met.

(c) The pharmacy must file its appeal within seven (7) business days of its submission of the initial claim for reimbursement for the drug or medical product or device. The pharmacy benefits manager or covered entity must make a final determination resolving the pharmacy's appeal within seven (7) business days of the pharmacy benefits manager or cover entity's receipt of the appeal.

(d) If the final determination is a denial of the pharmacy's appeal, the pharmacy benefits manager or covered entity must state the reason for the denial and provide the national drug code of an equivalent drug that is generally available for purchase by pharmacies in this state from national or regional wholesalers at a price which is equal to or less than the maximum allowable cost for that drug.

(e)

(1) If a pharmacy's appeal is determined by the pharmacy benefits manager or covered entity to be valid, the pharmacy benefits manager or covered entity shall adjust the maximum allowable cost of the drug or medical product or device for the appealing pharmacy. The adjustment for the appealing pharmacy shall be effective from the date the pharmacy's appeal was filed, and the pharmacy benefits manager or covered entity shall provide reimbursement to the appealing pharmacy

and may require the appealing pharmacy to reverse and rebill the claim in question in order to receive the corrected reimbursement.

(2) Once an appealing pharmacy's appeal is determined to be valid by the pharmacy benefits manager or covered entity, the pharmacy benefits manager or covered entity shall adjust the maximum allowable cost of the drug or medical product or device to which the maximum allowable cost applies for all similar pharmacies in the network as determined by the pharmacy benefits manager within three (3) business days for claims submitted in the next payment cycle.

(f) A pharmacy benefits manager or covered entity shall make available on its secure web site information about the appeals process, including but not limited to, a telephone number or process that a pharmacy may use to submit maximum allowable cost appeals.

56-7-3109. A violation of this part may subject the pharmacy benefits manager or covered entity to any of the sanctions described in § 56-2-305.

56-7-3110. A pharmacy shall not disclose to any third party the maximum allowable cost lists and related information it receives from a pharmacy benefits manager or covered entity, except that a pharmacy may share such lists and related information with a pharmacy services administrative organization or similar entity with which the pharmacy has a contract to provide administrative services for that pharmacy. If a pharmacy shares this information with a pharmacy services administrative organization or similar entity, that organization or entity shall not disclose the information to any third party.

SECTION 3. This act shall take effect January 1, 2015, the public welfare requiring it, and shall apply to all contracts entered into or renewed on or after that date.

On motion, Pensions and Insurance Amendment No. 1 was adopted.

Rep. McManus moved adoption of Insurance and Banking Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND House Bill No. 1554 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 56-7-3102, is amended by adding the following appropriately designated subdivisions:

() "Maximum allowable cost list" means a list of drugs, medical products or devices, or both medical products and devices, for which a maximum allowable cost has been established by a pharmacy benefits manager or covered entity;

() “Maximum allowable cost” means the maximum amount that a pharmacy benefits manager or covered entity will reimburse a pharmacy for the cost of a drug or a medical product or device;

SECTION 2. Tennessee Code Annotated, Title 56, Chapter 7, Part 31, is amended by adding the following new sections thereto:

56-7-3106.

(a) Before a pharmacy benefits manager or covered entity may place a drug on a maximum allowable cost list, the pharmacy benefits manager or covered entity must find that the drug is generally available for purchase by pharmacies in this state from a national or regional wholesaler.

(b) If a drug that has been placed on a maximum allowable cost list no longer meets the requirements of subsection (a), the drug shall be removed from the maximum allowable cost list by the pharmacy benefits manager or covered entity within five (5) business days after the date that the pharmacy benefits manager or covered entity becomes aware that the drug no longer meets the requirements of subsection (a).

(c) Nothing in this part shall be construed as preventing a pharmacy benefits manager or covered entity from reimbursing claims for a generic drug at the previously determined maximum allowable cost even if the pharmacy benefits manager or covered entity reimburses for the equivalent brand name drug at the contracted brand rate after confirmation by a national or regional wholesaler and by the manufacturer that the generic drug is generally unavailable for purchase from a national or regional wholesaler.

56-7-3107.

(a) A pharmacy benefits manager or covered entity shall make available to each pharmacy with which the pharmacy benefits manager or covered entity has a contract and to each pharmacy included in a network of pharmacies served by a pharmacy services administrative organization with which the pharmacy benefits manager or covered entity has a contract, at the beginning of the term of a contract and upon renewal of a contract:

(1) The sources used to determine the maximum allowable costs for the drugs and medical products and devices on each maximum allowable cost list;

(2) Every maximum allowable cost for individual drugs used by that pharmacy benefits manager or covered entity for patients served by that contracted pharmacy; and

(3) Upon request, every maximum allowable cost list used by that pharmacy benefits manager or covered entity for patients served by that contracted pharmacy.

(b) A pharmacy benefits manager or covered entity shall:

(1) Update each maximum allowable cost list at least every three (3) business days, as required by § 56-7-3104(b);

(2) Make the updated lists available to every pharmacy with which the pharmacy benefits manager or covered entity has a contract and to every pharmacy included in a network of pharmacies served by a pharmacy services administrative organization with which the pharmacy benefits manager or covered entity has a contract, in a readily accessible, secure and usable web-based format or other comparable format or process; and

(3) Utilize the updated maximum allowable costs to calculate the payments made to the contracted pharmacies within five (5) business days.

56-7-3108.

(a) A pharmacy benefits manager or covered entity shall establish a clearly defined process through which a pharmacy may contest the listed maximum allowable cost for a particular drug or medical product or device.

(b) A pharmacy may base its appeal on one (1) or more of the following:

(1) The maximum allowable cost established for a particular drug or medical product or device is below the cost at which the drug or medical product or device is generally available for purchase by pharmacies in this state from national or regional wholesalers; or

(2) The pharmacy benefits manager or covered entity has placed a drug on the list without properly determining that the requirements of § 56-7-3106 have been met.

(c) The pharmacy must file its appeal within seven (7) business days of its submission of the initial claim for reimbursement for the drug or medical product or device. The pharmacy benefits manager or covered entity must make a final determination resolving the pharmacy's appeal within seven (7) business days of the pharmacy benefits manager or covered entity's receipt of the appeal.

(d) If the final determination is a denial of the pharmacy's appeal, the pharmacy benefits manager or covered entity must state the reason for the denial and provide the national drug code of an equivalent drug that is generally available for purchase by pharmacies in this state from national or regional wholesalers at a price which is equal to or less than the maximum allowable cost for that drug.

(e)

(1) If a pharmacy's appeal is determined to be valid by the pharmacy benefits manager or covered entity, the pharmacy benefits manager or covered entity shall adjust the maximum allowable cost of the drug or medical product or device for the appealing pharmacy. The adjustment for the appealing pharmacy shall be effective from the date the pharmacy's appeal was filed, and the pharmacy benefits manager or covered entity shall provide reimbursement to the appealing pharmacy and may require the appealing pharmacy to reverse and rebill the claim in question in order to receive the corrected reimbursement.

(2) Once an appealing pharmacy's appeal is determined to be valid by the pharmacy benefits manager or covered entity, the pharmacy benefits manager or covered entity shall adjust the maximum allowable cost of the drug or medical product or device to which the maximum allowable cost applies for all similar pharmacies in the network as determined by the pharmacy benefits manager within three (3) business days for claims submitted in the next payment cycle.

(f) A pharmacy benefits manager or covered entity shall make available on its secure web site information about the appeals process, including, but not limited to, a telephone number or process that a pharmacy may use to submit maximum allowable cost appeals.

56-7-3109. The medical products and devices subject to the requirements of this part are limited to the medical products and devices included as a pharmacy benefit under the pharmacy benefits contract.

56-7-3110. A violation of this part may subject the pharmacy benefits manager or covered entity to any of the sanctions described in § 56-2-305.

56-7-3111. A pharmacy shall not disclose to any third party the maximum allowable cost lists and any related information it receives from a pharmacy benefits manager or covered entity; provided, however, a pharmacy may share such lists and related information with a pharmacy services administrative organization or similar entity with which the pharmacy has a contract to provide administrative services for that pharmacy. If a pharmacy shares this information with a pharmacy services administrative organization or similar entity, that organization or entity shall not disclose the information to any third party.

SECTION 3. This act shall take effect January 1, 2015, the public welfare requiring it, and shall apply to all contracts entered into or renewed on or after that date.

On motion, Insurance and Banking Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Shepard moved that **House Bill No. 1554**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	98
Noes	0

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Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

A motion to reconsider was tabled.

***House Bill No. 1480** -- Firearms and Ammunition - As introduced, creates an exception to the offense of carrying a firearm in public without a handgun carry permit that the person is not otherwise prohibited from carrying a firearm and is carrying the firearm in a privately-owned motor vehicle. - Amends TCA Title 39, Chapter 17, Part 13. by *Faison, *Roach, *Powers, *Dennis, *Dunn, *Evans, *Bailey, *Hill M, *Hall, *Brooks H, *Todd, *Lollar, *Floyd, *White M, *Hill T, *Hawk, *Littleton, *Casada, *Lynn, *Williams R, *Sanderson, *Travis, *Moody, *Sparks, *Kane, *McManus, *Haynes, *Holt. (SB1774 by *Bell)

On motion, House Bill No. 1480 was made to conform with **Senate Bill No. 1774**; the Senate Bill was substituted for the House Bill.

Rep. Faison moved that **Senate Bill No. 1774** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 79
Noes..... 10

Representatives voting aye were: Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carter, Casada, Coley, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Fitzhugh, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shepard, Shipley, Sparks, Spivey, Swann, Tidwell, Travis, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 79

Representatives voting no were: Armstrong, Cooper, Favors, Johnson G, Jones, Odom, Parkinson, Shaw, Stewart, Turner J -- 10

A motion to reconsider was tabled.

House Bill No. 1745 -- Alcoholic Beverages - As introduced, removes obsolete definitions of "premier type tourist resorts". - Amends TCA Title 57, Chapter 4, Part 1. by *Faison. (*SB1810 by *Niceley)

Rep. Faison moved that House Bill No. 1745 be passed on third and final consideration.

Rep. Haynes moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1745 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-4-102(26), is amended by adding the following language as a new, appropriately designated subdivision:

() A commercially operated recreational facility possessing all of the following characteristics:

(i) Has a banquet room that seats not less than seventy-five (75) people;

(ii) Has a semi-private golf course of at least eighteen (18) holes;

(iii) Has a club house, restaurant that serves food, and swimming pool;

(iv) Is located not less than one (1) mile from Interstate 40 and is adjacent to Golf Course Road;

(v) Is located in a county having a population of not less than thirty-five thousand six hundred (35,600) nor more than thirty-five thousand seven hundred (35,700) according to the 2010 federal census or any subsequent federal census.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Faison moved that **House Bill No. 1745**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	68
Noes.....	19
Present and not voting.....	7

Representatives voting aye were: Akbari, Armstrong, Bailey, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dennis, Durham, Eldridge, Faison, Farmer, Favors, Forgety, Gilmore, Goins, Halford, Hardaway, Hawk, Haynes, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Odom, Parkinson, Pody, Powell, Ragan, Ramsey, Rich,

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Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Watson, Weaver, White D, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 68

Representatives voting no were: Brooks H, Brooks K, DeBerry J, Dunn, Evans, Floyd, Harrison, Hill M, Hill T, Holt, Lollar, Matlock, Moody, Roach, Rogers, Van Huss, White M, Williams K, Windle -- 19

Representatives present and not voting were: Alexander, Butt, Dean, Doss, Love, Powers, Sparks -- 7

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “aye” to “no” on the **House Bill No. 1745** and have this statement entered in the Journal: Rep(s). Lynn.

REGULAR CALENDAR NO. 3, CONTINUED

***House Bill No. 1755** -- Alcoholic Beverages - As introduced, allows manufacturing of intoxicating liquors in any county with at least three premier type tourist resort licensees in such county. - Amends TCA Title 57, Chapter 2, Part 1. by *Faison, *Sanderson. (SB1884 by *Niceley)

On motion, House Bill No. 1755 was made to conform with **Senate Bill No. 1884**; the Senate Bill was substituted for the House Bill.

Rep. Faison moved that Senate Bill No. 1884 be passed on third and final consideration.

Rep. Haynes moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Faison moved that **Senate Bill No. 1884** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	70
Noes.....	18
Present and not voting.....	7

Representatives voting aye were: Akbari, Armstrong, Bailey, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dennis, Durham, Eldridge, Faison, Farmer, Favors, Forgety, Gilmore, Goins, Halford, Hardaway, Hawk, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Odom, Parkinson, Pitts, Powell, Ragan, Ramsey, Rich, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 70

Representatives voting no were: Brooks H, Brooks K, DeBerry J, Dunn, Evans, Floyd, Harrison, Haynes, Hill M, Hill T, Holt, Lollar, Matlock, Moody, Roach, Rogers, White M, Windle -- 18

Representatives present and not voting were: Alexander, Butt, Dean, Doss, Pody, Powers, Sparks -- 7

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on the **Senate Bill No. 1774** and have this statement entered in the Journal: Rep(s).Floyd.

REGULAR CALENDAR NO. 3, CONTINUED

House Bill No. 1784 -- Hospitals and Health Care Facilities - As introduced, extends the current moratorium on the issuance of certificates of need (CONs) for new nursing home and skilled nursing facility beds until June 30, 2015. - Amends TCA Section 68-11-1609 and Section 68-11-1622. by *Harrison. (*SB1875 by *Overbey, *Yager)

On motion, House Bill No. 1784 was made to conform with **Senate Bill No. 1875**; the Senate Bill was substituted for the House Bill.

Rep. Harrison moved that Senate Bill No. 1875 be passed on third and final consideration.

Rep. Harrison moved that **Senate Bill No. 1875** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes.....	2

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

Representatives voting no were: Lynn, Rogers -- 2

A motion to reconsider was tabled.

***House Bill No. 343** -- Hospitals and Health Care Facilities - As introduced, extends time for attorney general and reporter to give notice in decisions concerning certain hospitals; revises reporting requirements by hospitals; stays certain tax enforcement measures involving not for profit taxpayers. - Amends TCA Title 48; Title 67 and Title 68. by *Harrison. (SB997 by *McNally)

On motion, House Bill No. 343 was made to conform with **Senate Bill No. 997**; the Senate Bill was substituted for the House Bill.

Rep. Harrison moved that Senate Bill No. 997 be passed on third and final consideration.

Rep. Ramsey moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Harrison moved that **Senate Bill No. 997** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “aye” to “no” on the **Senate Bill No. 1884** and have this statement entered in the Journal: Rep(s). Lynn.

REGULAR CALENDAR NO. 3, CONTINUED

House Bill No. 1783 -- Hospitals and Health Care Facilities - As introduced, extends for one year the nursing home annual assessment fee and removes a provision that would repeal a contracting requirement concerning managed care organizations and nursing facilities on June 30, 2015. - Amends TCA Title 68 and Title 71. by *Harrison, *Lamberth. (*SB1872 by *Overbey)

Rep. Harrison moved that House Bill No. 1783 be passed on third and final consideration.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1783 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter, Part 5, is amended by adding the following language as a new part 28:

71-5-2801.

As used in this part, unless the context otherwise requires:

(1) "Account" means the nursing home assessment trust fund created under this part;

(2) "Bureau" means the bureau of TennCare;

(3) "Commencement date" means the later of July 1, 2014, or the date when the bureau has received the necessary federal approval to implement the assessment described in this part and implements the provisions of the nursing home assessment trust fund;

(4) "Fiscal year" (FY) means the twelve (12) month period beginning July 1st and ending June 30th of each calendar year;

(5) "Fund" as used in this part shall mean the nursing home assessment trust fund created under this part;

(6) "Medicaid" shall have the same meaning as "medical assistance" as defined in § 71-5-103;

(7) "Medicare resident day" means a resident day funded under 42 U.S.C. Chapter 7 (Title XVIII of the Social Security Act) commonly referred to as the Medicare program Parts A-D;

(8) "Net patient service revenue" means gross inpatient revenues from services provided to nursing home patients less reductions from gross inpatient revenue resulting from an inability to collect payment of charges. Inpatient care revenue excludes non-patient care revenue

such as beauty and barber, vending income, interest and contributions, revenues from the sale of meals and all outpatient revenues. Reductions from gross revenue include bad debts, contractual adjustments, uncompensated care, discounts and adjustments and other revenue deductions;

(9) "Nursing facility" means any entity defined as a nursing home under § 68-11-201 and licensed under title 68 by the department of health;

(10) "Resident day" means a calendar day of care provided to a nursing home resident, including the day of admission and excluding the day of discharge, provided that one (1) resident day shall be deemed to exist when admission and discharge occur on the same day; and

(11) "Upper payment limit" means the limitation established pursuant to 42 C.F.R. 447.272 that disallows federal matching funds when state medicaid agencies pay certain classes of nursing care facilities an aggregate amount for services furnished by that class of nursing care facilities that would exceed the amount that would be paid under medicare payment principles.

71-5-2802.

(a) It is declared to be the legislative intent that every person is exercising a taxable privilege who engages in the business of providing nursing home care. The assessment fee imposed by this part shall be in addition to all other privilege taxes.

(b) The nursing home assessment trust fund is created. The general assembly intends that the proceeds of the annual coverage assessment not be used as a justification to reduce or eliminate the state funding to the TennCare program. The fund shall not be used to replace any moneys otherwise appropriated to the TennCare program by the general assembly.

(c) The trust fund shall consist of:

(1) Amounts collected or received by the bureau from nursing home assessments under this part;

(2) Investment earnings credited to the assets of the nursing home assessment trust fund. The state treasurer shall invest amounts deposited within the account in accordance with law, and all investment earnings shall be credited back to the fund; and

(3) Any penalties levied in conjunction with the administration of this part.

(d) The trust fund is created for the purpose of receiving funds as specified in this section. Collected assessment funds shall be used to secure federal matching funds available through the state medicaid plan.

(e) All revenue collected pursuant to this part shall be deposited in the nursing home assessment trust fund.

(f) All nursing home annual assessment fee payments made by nursing homes under this section and received by this state; all investment earnings credited to the nursing home annual assessment fee payments; any interest and penalties paid under this section by any nursing home; and all funds generated by federal matching payments made relative to the nursing home annual assessment fee shall be available to and used by the bureau of TennCare for the sole purpose of providing payment to nursing homes.

(g) No part of the nursing home annual assessment fee payments made by nursing homes under this section and received by this state; the investment earnings credited to the nursing home annual assessment fee payments; the interest and penalties paid under this section by any nursing home; or the funds generated by federal matching payments made relative to the nursing home annual assessment fee shall be used for any purpose other than providing payment to nursing homes.

(h) The fund shall be used exclusively for the following purposes:

(1) To make expenditures for nursing facility services under the TennCare program for FY 2014- 2015 at the full rates as set in accordance with § 71-5-105(a)(3)(B-D), that would have been subject to reduction by the bureau of TennCare for FY 2014-2015, except for the availability of one-time funding for that year only. Payment of full rates as described in this section shall be satisfied before making any other payments from the fund.

(2) To make medicaid payments for nursing facility services which exceed the amount of full nursing home medicaid rates, as calculated in accordance with the approved state medicaid plan in effect on July 1, 2014, including but not limited to a supplemental transitional payment to nursing facilities for the transition to an acuity based reimbursement system;

(3) To provide funding for the implementation of that acuity-based reimbursement system upon implementation of an acuity-based reimbursement system, that shall include at a minimum a quality performance component for nursing facility services and a nursing rate component. The nursing rate component shall be adjusted by the average medicaid case-mix of the facility utilizing the Skilled Nursing Facility (SNF) Prospective Payment System (PPS) Resource Utilization Group-Version 4 (RUG-IV), 48-Grouper model; and

(4) To pay nursing home covered services covered for medicaid beneficiaries within medicare upper payment limits, as negotiated with the bureau. The upper payment limit of all nursing homes shall be calculated by the bureau using the higher of the cost based or prospective payment system approach in accordance with 42 C.F.R. 447.272.

(i) Any funds remaining in the nursing home assessment trust fund after payments are made as provided for in subsection (h) above shall remain in the trust fund as a reserve for future uses consistent with subsection (h). If the funds in the nursing home assessment trust fund are insufficient to meet all the purposes established in § 71-5-2804(b), the bureau of TennCare shall not be required to procure additional funding from other sources to make the payments noted in § 71-5-2804(b), but instead shall be permitted to reduce all payments on a pro rata basis so as not to exceed the amounts held at any time in the nursing home assessment trust fund.

71-5-2803.

(a) Each nursing home shall pay the nursing home assessment in monthly installments to the account in accordance with this part.

(b) The aggregated amount of assessments for all nursing facilities during a fiscal year shall not be less than the amount necessary to fund the provisions of this part or exceed the maximum amount that may be assessed pursuant to the indirect guarantee threshold as established pursuant to 42 C.F.R. 433.68(f)(3)(i). The bureau shall determine the assessment rate prospectively for the applicable fiscal year on a per-resident-day basis, exclusive of medicare resident days. The per-resident day assessment rate shall be uniform. The bureau shall promulgate rules for facility reporting of non-medicare resident days and for payment of the assessment

(c) The aggregated amount of assessments for all nursing facilities from the commencement date through June 30, 2015,

shall equal four and one-half percent (4.5%) of the net patient service revenue as defined in § 71-5-2801.

(d) The initial monthly installment due after the commencement date shall be due not later than sixty (60) days after the commencement date, unless a later date is set by the bureau. Payments for subsequent months are due not later than twenty-five (25) days after the end of each calendar month.

(e) Nursing homes shall not create a separate line-item charge on the bill reflecting the assessment.

(f) The annual assessment imposed by this part shall not be effective and validly imposed until the bureau:

(1) Has provided to the Tennessee Health Care Association written notice that includes a determination from the Centers for Medicare and Medicaid Services (CMS) that the annual assessment is a permissible source of revenue that shall not adversely affect the amount of federal financial participation in the TennCare program; and

(2) Has provided evidence that the bureau of TennCare will implement an acuity-based reimbursement methodology for nursing facility care developed in consultation with the Tennessee Health Care Association.

71-5-2804.

(a) Upon enactment of the assessment fee pursuant to this part, the bureau of TennCare shall make increased payments to nursing care facilities for FY 2014-2015 as a part of a transition to a full acuity-based reimbursement system.

(b) During FY 2014-2015, the bureau of TennCare shall make a supplemental transitional payment to nursing facilities for the transition to an acuity based reimbursement system, which exceeds the amount of nursing home medicaid rates, in the aggregate, as calculated in accordance with the approved state medicaid plan in effect on July 1, 2014. The total aggregate amount of funds available for this supplemental payment shall be equal to the difference between:

(1) The aggregated amount of nursing home trust fund assessments scheduled to be paid by all nursing homes during a FY 2014-2105; and

(2) The total amount of nursing home privilege tax paid by all nursing homes during FY 2013-2014. The

supplemental transitional payments shall be allocated as follows, in consultation with the Tennessee Health Care Association:

(A) Thirty-percent (30%) allocated in the same manner as the 2013 acuity payment;

(B) Thirty-percent (30%) allocated strictly based on medicaid day-weighted CMI score;

(C) Twenty-percent (20%) allocated based on quality measures adopted by the bureau of TennCare and the Tennessee Health Care Association;

(D) Nineteen-percent (19%) allocated to fund full payment of nursing facility reimbursement rates as set forth in § 71-5-2802(h)(1); and

(E) One-percent (1%) allocated for administrative costs associated with systems development, which shall be used to implement an electronic cost report submission system and online process for facilities to submit data needed to support the new acuity-based reimbursement system.

71-5-2805.

(a) The bureau shall seek necessary federal approval in the form of state plan amendments in order to implement the provisions of this part, if it determined such approvals are necessary.

(b) The bureau is authorized to adopt rules and regulations necessary to implement the provisions of this part or obtain approval of the state plan amendments.

71-5-2806.

(a) If any part of any assessment fee imposed by §71-5-2803 is not paid on or before the due date, a penalty of five percent (5%) of the amount due shall at once accrue and be added to such assessment fee. Thereafter, on the first day of each month during which any part of any assessment fee or any prior accrued penalty remains unpaid, an additional penalty of five percent (5%) of the then unpaid balance shall accrue and be added to such assessment fee or prior accrued penalty. Payment shall be deemed to have been made upon date of deposit in the United States mail.

(b) The commissioner of health may for good cause approve an alternative payment plan, as long as full payment of the assessment fee plus any penalties are made. So long as the facility is current with payment of the current assessment and any authorized payment plan approved by the commissioner, no further penalties will be applied. Any payments after a penalty is assessed under this section shall be credited first to unpaid assessment amounts rather than to penalty amounts, beginning with the most delinquent installment.

(c) If a nursing home is more than ninety (90) days delinquent in paying an installment of its annual nursing home assessment fee or becomes delinquent on an approved payment plan, the commissioner shall initiate proceedings before the board for licensing health care facilities ("board"), in accordance with the Uniform Administrative Procedures Act, as compiled in title 4, chapter 5, so that the board may suspend admissions to the facility or otherwise direct the facility to pay the assessment fee and any accrued penalties in full within a prescribed period of time. If the facility does not pay the assessment fee and any accrued penalties in full within the prescribed period of time as directed by the board, the board shall suspend admissions to the facility. Any suspension of admissions imposed according to this section shall immediately be lifted following the full payment of the assessment fee and any accrued penalties by the facility. If full payment of the assessment fee and any accrued penalties is not paid within sixty (60) days from the first day of the suspension of admissions, the commissioner shall be authorized to initiate proceedings before the board in accordance with the Uniform Administrative Procedures Act so that the board may consider the revocation of the facility's license.

(d) The board may waive, in whole or in part, any penalty imposed under this section upon a determination that there is good cause for such a waiver. A board waiver shall excuse the payment of that penalty amount but shall not excuse payment of any assessments.

71-5-2807.

For the purposes of this part, any nursing home participating in the medicaid program shall file cost reports in accordance with the rules adopted by the bureau. Any nursing home participating in the medicaid program that does not adopt the uniform classification of accounts, or other acceptable accounting methods as shall be established by the rules of the bureau, in consultation with the comptroller of the treasury and the Tennessee Health Care Association, or does not submit cost data as required by the bureau, shall be assessed a penalty of one hundred dollars (\$100.00) for each day such provider is not in

compliance with this section. The bureau may waive, in whole or in part, any penalty upon a determination that there is good cause for such a waiver. The penalty imposed by this section shall supercede any penalty imposed under § 12-4-304.

71-5-2808.

The fiscal review committee shall review and have oversight of the implementation of this part and the nursing home assessment trust fund.

71-5-2809.

Enactment of this part and any amendments to this part shall not operate to excuse the monthly installment payment of the nursing home assessment fee due on July 15, 2014 pursuant to § 68-11-216(c).

71-5-2810.

(a) The nursing home annual assessment fee established by this part shall terminate on June 30, 2015.

(b) The assessment imposed by this part shall be suspended if the bureau agency attempts to utilize the money in the account for any use other than permitted by this part;

(c) Any assessment fee obligation imposed by § 71-5-2803 shall be suspended to the extent that, and for the period that receipt of the assessment fee by the state results in, a corresponding reduction in federal financial participation under Title XIX of the federal Social Security Act, compiled in 42 U.S.C. § 1396 et seq.

71-5-2811.

(a) If the bureau of TennCare has not received the necessary approvals from the Centers for Medicare and Medicaid Services to impose this annual assessment prior to July 1, 2014, or cannot administratively implement the provisions of § 71-5-2802 and § 71-5-2803 prior to July 1, 2014, the assessment fee shall be set pursuant to subsection (b) below until the commencement date.

(b) Upon the occurrence of the conditions described in subsection (a), the amount of the assessment fee shall be set at and uniformly applied to all beds licensed as nursing home beds by this state on July 1, 2014, for the fiscal year following that date at the rate of two thousand two hundred twenty-five dollars (\$2,225) per licensed bed per year. Licensed facilities that are

owned or operated by an agency of this state are not excluded from paying the assessment fee. There shall be no exclusions, deductions or adjustments applied to the assessment fee of any licensed facility different from any other such facility. Beds licensed after July 1, 2014, shall pay a prorated amount of the annual assessment fee for the fiscal year following such date, provided, that no such assessment fee shall be due to the extent that the beds licensed after July 1, 2013, where the result of the transfer of such beds from one (1) licensed facility to another licensed facility, where the transferor facility had already paid the full amount of the assessment fee on such beds, or where the transferor facility agrees to continue to pay the monthly installments due with respect to such beds. Such assessment fee shall be paid in equal monthly installments of one-twelfth (1/12) of two thousand two hundred twenty-five dollars (\$2,225) per licensed bed per year. The installments are due on the fifteenth day of each following month beginning August 15, 2014, for the July 2014 installment and ending with a final payment on the fifteenth of the month following the commencement date.

(c) This section shall have no effect after the commence date set by § 71-5-2801.

SECTION 2. Tennessee Code Annotated, Section 71-5-1412, is amended by deleting the date “June 30, 2015” in subsection (c) and inserting the date “June 30, 2017”.

SECTION 3. This act shall take effect July 1, 2014, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1 was adopted.

Rep. Sargent moved to reconsider action in passing Finance, Ways & Means Committee Amendment No. 1, which motion prevailed.

Rep. Sargent moved that Finance, Ways & Means Committee Amendment No. 1 to 1 be withdrawn.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as follows:

Amendment No. 1

AMEND House Bill No. 1783 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter, Part 5, is amended by adding the following language as a new part 28:

71-5-2801.

As used in this part, unless the context otherwise requires:

(1) "Account" means the nursing home assessment trust fund created under this part;

(2) "Bureau" means the bureau of TennCare;

(3) "Commencement date" means the later of July 1, 2014, or the date when the bureau has received the necessary federal approval to implement the assessment described in this part and implements the provisions of the nursing home assessment trust fund;

(4) "Fiscal year" (FY) means the twelve (12) month period beginning July 1st and ending June 30th of each calendar year;

(5) "Fund" as used in this part shall mean the nursing home assessment trust fund created under this part;

(6) "Medicaid" shall have the same meaning as "medical assistance" as defined in § 71-5-103;

(7) "Medicare resident day" means a resident day funded under 42 U.S.C. Chapter 7 (Title XVIII of the Social Security Act) commonly referred to as the Medicare program Parts A-D;

(8) "Net patient service revenue" means gross inpatient revenues from services provided to nursing home patients less reductions from gross inpatient revenue resulting from an inability to collect payment of charges. Inpatient care revenue excludes non-patient care revenue such as beauty and barber, vending income, interest and contributions, revenues from the sale of meals and all outpatient revenues. Reductions from gross revenue include bad debts, contractual adjustments, uncompensated care, discounts and adjustments and other revenue deductions;

(9) "Nursing facility" means any entity defined as a nursing home under § 68-11-201 and licensed under title 68 by the department of health;

(10) "Resident day" means a calendar day of care provided to a nursing home resident, including the day of admission and excluding the day of discharge, provided that one (1) resident day shall be deemed to exist when admission and discharge occur on the same day; and

(11) "Upper payment limit" means the limitation established pursuant to 42 C.F.R. 447.272 that disallows federal matching funds when state medicaid agencies pay certain classes of nursing care facilities an aggregate amount for services furnished by that class of nursing care facilities that would exceed the amount that would be paid under medicare payment principles.

71-5-2802.

(a) It is declared to be the legislative intent that every person is exercising a taxable privilege who engages in the business of providing nursing home care. The assessment fee imposed by this part shall be in addition to all other privilege taxes.

(b) The nursing home assessment trust fund is created. The general assembly intends that the proceeds of the annual coverage assessment not be used as a justification to reduce or eliminate the state funding to the TennCare program. The fund shall not be used to replace any moneys otherwise appropriated to the TennCare program by the general assembly.

(c) The trust fund shall consist of:

(1) Amounts collected or received by the bureau from nursing home assessments under this part;

(2) Investment earnings credited to the assets of the nursing home assessment trust fund. The state treasurer shall invest amounts deposited within the account in accordance with law, and all investment earnings shall be credited back to the fund; and

(3) Any penalties levied in conjunction with the administration of this part.

(d) The trust fund is created for the purpose of receiving funds as specified in this section. Collected assessment funds shall be used to secure federal matching funds available through the state medicaid plan.

(e) All revenue collected pursuant to this part shall be deposited in the nursing home assessment trust fund.

(f) All nursing home annual assessment fee payments made by nursing homes under this section and received by this state; all investment earnings credited to the nursing home annual assessment fee payments; any interest and penalties paid under this section by any nursing home; and all funds generated by federal matching payments made relative to the nursing home

annual assessment fee shall be available to and used by the bureau of TennCare for the sole purpose of providing payment to nursing homes.

(g) No part of the nursing home annual assessment fee payments made by nursing homes under this section and received by this state; the investment earnings credited to the nursing home annual assessment fee payments; the interest and penalties paid under this section by any nursing home; or the funds generated by federal matching payments made relative to the nursing home annual assessment fee shall be used for any purpose other than providing payment to nursing homes.

(h) The fund shall be used exclusively for the following purposes:

(1) To make expenditures for nursing facility services under the TennCare program for FY 2014- 2015 at the full rates as set in accordance with § 71-5-105(a)(3)(B-D), that would have been subject to reduction by the bureau of TennCare for FY 2014-2015, except for the availability of one-time funding for that year only. Payment of full rates as described in this section shall be satisfied before making any other payments from the fund.

(2) To make medicaid payments for nursing facility services which exceed the amount of full nursing home medicaid rates, as calculated in accordance with the approved state medicaid plan in effect on July 1, 2014, including but not limited to a supplemental transitional payment to nursing facilities for the transition to an acuity based reimbursement system;

(3) To provide funding for the implementation of that acuity-based reimbursement system upon implementation of an acuity-based reimbursement system, that shall include at a minimum a quality performance component for nursing facility services and a nursing rate component. The nursing rate component shall be adjusted by the average medicaid case-mix of the facility utilizing the Skilled Nursing Facility (SNF) Prospective Payment System (PPS) Resource Utilization Group-Version 4 (RUG-IV), 48-Grouper model; and

(4) To pay nursing home covered services covered for medicaid beneficiaries within medicare upper payment limits, as negotiated with the bureau. The upper payment limit of all nursing homes shall be calculated by the bureau using the higher of the cost based or prospective payment system approach in accordance with 42 C.F.R. 447.272.

(i) Any funds remaining in the nursing home assessment trust fund after payments are made as provided for in subsection (h) above shall remain in the trust fund as a reserve for future uses consistent with subsection (h). If the funds in the nursing home assessment trust fund are insufficient to meet all the purposes established in § 71-5-2804(b), the bureau of TennCare shall not be required to procure additional funding from other sources to make the payments noted in § 71-5-2804(b), but instead shall be permitted to reduce all payments on a pro rata basis so as not to exceed the amounts held at any time in the nursing home assessment trust fund.

71-5-2803.

(a) Each nursing home shall pay the nursing home assessment in monthly installments to the account in accordance with this part.

(b) The aggregated amount of assessments for all nursing facilities during a fiscal year shall not be less than the amount necessary to fund the provisions of this part or exceed the maximum amount that may be assessed pursuant to the indirect guarantee threshold as established pursuant to 42 C.F.R. 433.68(f)(3)(i). The bureau shall determine the assessment rate prospectively for the applicable fiscal year on a per-resident-day basis, exclusive of medicare resident days. The per-resident day assessment rate shall be uniform. The bureau shall promulgate rules for facility reporting of non-medicare resident days and for payment of the assessment

(c) The aggregated amount of assessments for all nursing facilities from the commencement date through June 30, 2015, shall equal four and one-half percent (4.5%) of the net patient service revenue as defined in § 71-5-2801.

(d) The initial monthly installment due after the commencement date shall be due not later than sixty (60) days after the commencement date, unless a later date is set by the bureau. Payments for subsequent months are due not later than twenty-five (25) days after the end of each calendar month.

(e) Nursing homes shall not create a separate line-item charge on the bill reflecting the assessment.

(f) The annual assessment imposed by this part shall not be effective and validly imposed until the bureau:

(1) Has provided to the Tennessee Health Care Association written notice that includes a determination from the Centers for Medicare and Medicaid Services

(CMS) that the annual assessment is a permissible source of revenue that shall not adversely affect the amount of federal financial participation in the TennCare program; and

(2) Has provided evidence that the bureau of TennCare will implement an acuity-based reimbursement methodology for nursing facility care developed in consultation with the Tennessee Health Care Association.

71-5-2804.

(a) Upon enactment of the assessment fee pursuant to this part, the bureau of TennCare shall make increased payments to nursing care facilities for FY 2014-2015 as a part of a transition to a full acuity-based reimbursement system.

(b) During FY 2014-2015, the bureau of TennCare shall make a supplemental transitional payment to nursing facilities for the transition to an acuity based reimbursement system, which exceeds the amount of nursing home medicaid rates, in the aggregate, as calculated in accordance with the approved state medicaid plan in effect on July 1, 2014. The total aggregate amount of funds available for this supplemental payment shall be equal to the difference between:

(1) The aggregated amount of nursing home trust fund assessments scheduled to be paid by all nursing homes during a FY 2014-2105; and

(2) The total amount of nursing home privilege tax paid by all nursing homes during FY 2013-2014. The supplemental transitional payments shall be allocated as follows, in consultation with the Tennessee Health Care Association:

(A) Thirty-percent (30%) allocated in the same manner as the 2013 acuity payment;

(B) Thirty-percent (30%) allocated strictly based on medicaid day-weighted CMI score;

(C) Twenty-percent (20%) allocated based on quality measures adopted by the bureau of TennCare and the Tennessee Health Care Association;

(D) Nineteen-percent (19%) allocated to fund full payment of nursing facility reimbursement rates as set forth in § 71-5-2802(h)(1); and

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(E) One-percent (1%) allocated for administrative costs associated with systems development, which shall be used to implement an electronic cost report submission system and online process for facilities to submit data needed to support the new acuity-based reimbursement system.

71-5-2805.

(a) The bureau shall seek necessary federal approval in the form of state plan amendments in order to implement the provisions of this part, if it determined such approvals are necessary.

(b) The bureau is authorized to adopt rules and regulations necessary to implement the provisions of this part or obtain approval of the state plan amendments.

71-5-2806.

(a) If any part of any assessment fee imposed by §71-5-2803 is not paid on or before the due date, a penalty of five percent (5%) of the amount due shall at once accrue and be added to such assessment fee. Thereafter, on the first day of each month during which any part of any assessment fee or any prior accrued penalty remains unpaid, an additional penalty of five percent (5%) of the then unpaid balance shall accrue and be added to such assessment fee or prior accrued penalty. Payment shall be deemed to have been made upon date of deposit in the United States mail.

(b) The commissioner of health may for good cause approve an alternative payment plan, as long as full payment of the assessment fee plus any penalties are made. So long as the facility is current with payment of the current assessment and any authorized payment plan approved by the commissioner, no further penalties will be applied. Any payments after a penalty is assessed under this section shall be credited first to unpaid assessment amounts rather than to penalty amounts, beginning with the most delinquent installment.

(c) If a nursing home is more than ninety (90) days delinquent in paying an installment of its annual nursing home assessment fee or becomes delinquent on an approved payment plan, the commissioner shall initiate proceedings before the board for licensing health care facilities ("board"), in accordance with the Uniform Administrative Procedures Act, as compiled in title 4, chapter 5, so that the board may suspend admissions to the facility or otherwise direct the facility to pay the assessment fee

and any accrued penalties in full within a prescribed period of time. If the facility does not pay the assessment fee and any accrued penalties in full within the prescribed period of time as directed by the board, the board shall suspend admissions to the facility. Any suspension of admissions imposed according to this section shall immediately be lifted following the full payment of the assessment fee and any accrued penalties by the facility. If full payment of the assessment fee and any accrued penalties is not paid within sixty (60) days from the first day of the suspension of admissions, the commissioner shall be authorized to initiate proceedings before the board in accordance with the Uniform Administrative Procedures Act so that the board may consider the revocation of the facility's license.

(d) The board may waive, in whole or in part, any penalty imposed under this section upon a determination that there is good cause for such a waiver. A board waiver shall excuse the payment of that penalty amount but shall not excuse payment of any assessments.

71-5-2807.

For the purposes of this part, any nursing home participating in the medicaid program shall file cost reports in accordance with the rules adopted by the bureau. Any nursing home participating in the medicaid program that does not adopt the uniform classification of accounts, or other acceptable accounting methods as shall be established by the rules of the bureau, in consultation with the comptroller of the treasury and the Tennessee Health Care Association, or does not submit cost data as required by the bureau, shall be assessed a penalty of one hundred dollars (\$100.00) for each day such provider is not in compliance with this section. The bureau may waive, in whole or in part, any penalty upon a determination that there is good cause for such a waiver. The penalty imposed by this section shall supercede any penalty imposed under § 12-4-304.

71-5-2808.

The fiscal review committee shall review and have oversight of the implementation of this part and the nursing home assessment trust fund.

71-5-2809.

Enactment of this part and any amendments to this part shall not operate to excuse the monthly installment payment of the nursing home assessment fee due on July 15, 2014 pursuant to § 68-11-216(c).

71-5-2810.

(a) The nursing home annual assessment fee established by this part shall terminate on June 30, 2015.

(b) The assessment imposed by this part shall be suspended if the bureau agency attempts to utilize the money in the account for any use other than permitted by this part;

(c) Any assessment fee obligation imposed by § 71-5-2803 shall be suspended to the extent that, and for the period that receipt of the assessment fee by the state results in, a corresponding reduction in federal financial participation under Title XIX of the federal Social Security Act, compiled in 42 U.S.C. § 1396 et seq.

71-5-2811.

(a) If the bureau of TennCare has not received the necessary approvals from the Centers for Medicare and Medicaid Services to impose this annual assessment prior to July 1, 2014, or cannot administratively implement the provisions of § 71-5-2802 and § 71-5-2803 prior to July 1, 2014, the assessment fee shall be set pursuant to subsection (b) below until the commencement date.

(b) Upon the occurrence of the conditions described in subsection (a), the amount of the assessment fee shall be set at and uniformly applied to all beds licensed as nursing home beds by this state on July 1, 2014, for the fiscal year following that date at the rate of two thousand two hundred twenty-five dollars (\$2,225) per licensed bed per year. Licensed facilities that are owned or operated by an agency of this state are not excluded from paying the assessment fee. There shall be no exclusions, deductions or adjustments applied to the assessment fee of any licensed facility different from any other such facility. Beds licensed after July 1, 2014, shall pay a prorated amount of the annual assessment fee for the fiscal year following such date, provided, that no such assessment fee shall be due to the extent that the beds licensed after July 1, 2013, where the result of the transfer of such beds from one (1) licensed facility to another licensed facility, where the transferor facility had already paid the full amount of the assessment fee on such beds, or where the transferor facility agrees to continue to pay the monthly installments due with respect to such beds. Such assessment fee shall be paid in equal monthly installments of one-twelfth (1/12) of two thousand two hundred twenty-five dollars (\$2,225) per licensed bed per year. The installments are due on the fifteenth day of each following month beginning August 15, 2014, for the

July 2014 installment and ending with a final payment on the fifteenth of the month following the commencement date.

(c) This section shall have no effect after the commence date set by § 71-5-2801.

SECTION 2. Tennessee Code Annotated, Section 71-5-1412, is amended by deleting the date “June 30, 2015” in subsection (c) and inserting the date “June 30, 2017”.

SECTION 3. This act shall take effect July 1, 2014, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1 was adopted.

Rep. Harrison requested that House Bill No. 1783 be moved down three places on the Calendar, which motion prevailed.

Senate Bill No. 1940 -- Education, Curriculum - As introduced, requires every LEA required to provide family life curriculum to provide the department of education and the state board of education with a list of the specific curriculum used to teach the family life curriculum; requires the report to include the contact information of every individual, non-LEA employee or organization authorized to teach the family life curriculum. - Amends TCA Title 49, Chapter 6, Part 13. by *Johnson, *Bowling. (*HB1871 by *Coley, *Williams R.)

Further consideration of Senate Bill No. 1940 previously considered on today's Calendar.

Rep. Coley moved that Senate Bill No. 1940 be passed on third and final consideration.

Rep. Fitzhugh moved the previous question, which motion prevailed.

Rep. Coley moved that **Senate Bill No. 1940** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Lamberth, Lollar, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 89

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “aye” to “no” on the **Senate Bill No. 1940** and have this statement entered in the Journal: Rep(s). Hardaway.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on the **Senate Bill No. 1940** and have this statement entered in the Journal: Rep(s). Lynn.

REGULAR CALENDAR NO. 3, CONTINUED

House Bill No. 1950 -- Hospitals and Health Care Facilities - As introduced, enacts the "Annual Coverage Assessment of 2014". - Amends TCA Title 71, Chapter 5 and Chapter 250 of the Public Acts of 2013. by *Harrison, *Wirgau, *Sanderson, *Kane, *Coley, *Farmer, *Hawk, *Carr D, *Casada, *McDaniel, *Eldridge, *Swann, *Powers, *Keisling, *Faison, *Lundberg, *Williams K, *Lamberth, *Hardaway, *Goins, *Forgety, *Brooks K, *Sargent, *Johnson C, *Haynes, *Roach, *Todd, *Jernigan, *Ramsey, *Lollar, *Sparks, *Cooper, *Gilmore, *Akbari, *Towns, *Odom, *Love, *Womick, *Stewart, *Pitts, *Jones, *Floyd, *Fitzhugh, *Turner M, *Johnson G. (*SB1908 by *Overbey, *Bowling, *Green, *Massey, *Yager)

On motion, House Bill No. 1950 was made to conform with **Senate Bill No. 1908**; the Senate Bill was substituted for the House Bill.

Rep. Harrison moved that Senate Bill No. 1908 be passed on third and final consideration.

Rep. Sargent moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved that Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Holt

REGULAR CALENDAR NO.3, CONTINUED

Rep. K. Williams moved the previous question, which motion prevailed.

MONDAY, APRIL 14, 2014 – SIXTY-FOURTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Harrison moved that **Senate Bill No. 1908** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	86
Noes.....	3
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Harrison, Hawk, Hill M, Hill T, Jernigan, Johnson C, Johnson G, Jones, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 86

Representatives voting no were: Carr J, Lynn, Windle -- 3

Representatives present and not voting were: Dunn -- 1

A motion to reconsider was tabled.

House Bill No. 1783 -- Hospitals and Health Care Facilities - As introduced, extends for one year the nursing home annual assessment fee and removes a provision that would repeal a contracting requirement concerning managed care organizations and nursing facilities on June 30, 2015. - Amends TCA Title 68 and Title 71. by *Harrison, *Lamberth. (*SB1872 by *Overbey)

Further consideration of House Bill No. 1783 previously considered on today's Calendar at which time the House adopted Amendment No. 1.

Rep. Sargent moved to reconsider action in passing Amendment No. 1 which motion prevailed.

Rep. Sargent moved adoption of Amendment No. 1 of Amendment No. 1 as follows:

Amendment No. 1 of Amendment No. 1

AMEND House Bill No. 1783 By deleting the directory language of Section 1 and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, is amended by adding the following language as a new part 28:

On motion, Amendment No. 1 of Amendment No. 1 was adopted.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1783 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter, Part 5, is amended by adding the following language as a new part 28:

71-5-2801.

As used in this part, unless the context otherwise requires:

(1) "Account" means the nursing home assessment trust fund created under this part;

(2) "Bureau" means the bureau of TennCare;

(3) "Commencement date" means the later of July 1, 2014, or the date when the bureau has received the necessary federal approval to implement the assessment described in this part and implements the provisions of the nursing home assessment trust fund;

(4) "Fiscal year" (FY) means the twelve (12) month period beginning July 1st and ending June 30th of each calendar year;

(5) "Fund" as used in this part shall mean the nursing home assessment trust fund created under this part;

(6) "Medicaid" shall have the same meaning as "medical assistance" as defined in § 71-5-103;

(7) "Medicare resident day" means a resident day funded under 42 U.S.C. Chapter 7 (Title XVIII of the Social Security Act) commonly referred to as the Medicare program Parts A-D;

(8) "Net patient service revenue" means gross inpatient revenues from services provided to nursing home patients less reductions from gross inpatient revenue resulting from an inability to collect payment of charges. Inpatient care revenue excludes non-patient care revenue such as beauty and barber, vending income, interest and contributions, revenues from the sale of meals and all outpatient revenues. Reductions from gross revenue include bad debts, contractual adjustments, uncompensated care, discounts and adjustments and other revenue deductions;

(9) "Nursing facility" means any entity defined as a nursing home under § 68-11-201 and licensed under title 68 by the department of health;

(10) "Resident day" means a calendar day of care provided to a nursing home resident, including the day of admission and excluding the day of discharge, provided that one (1) resident day shall be deemed to exist when admission and discharge occur on the same day; and

(11) "Upper payment limit" means the limitation established pursuant to 42 C.F.R. 447.272 that disallows federal matching funds when state medicaid agencies pay certain classes of nursing care facilities an aggregate amount for services furnished by that class of nursing care facilities that would exceed the amount that would be paid under medicare payment principles.

71-5-2802.

(a) It is declared to be the legislative intent that every person is exercising a taxable privilege who engages in the business of providing nursing home care. The assessment fee imposed by this part shall be in addition to all other privilege taxes.

(b) The nursing home assessment trust fund is created. The general assembly intends that the proceeds of the annual coverage assessment not be used as a justification to reduce or eliminate the state funding to the TennCare program. The fund shall not be used to replace any moneys otherwise appropriated to the TennCare program by the general assembly.

(c) The trust fund shall consist of:

(1) Amounts collected or received by the bureau from nursing home assessments under this part;

(2) Investment earnings credited to the assets of the nursing home assessment trust fund. The state treasurer shall invest amounts deposited within the account in accordance with law, and all investment earnings shall be credited back to the fund; and

(3) Any penalties levied in conjunction with the administration of this part.

(d) The trust fund is created for the purpose of receiving funds as specified in this section. Collected assessment funds shall be used to secure federal matching funds available through the state medicaid plan.

(e) All revenue collected pursuant to this part shall be deposited in the nursing home assessment trust fund.

(f) All nursing home annual assessment fee payments made by nursing homes under this section and received by this state; all investment earnings credited to the nursing home annual assessment fee payments; any interest and penalties paid under this section by any nursing home; and all funds generated by federal matching payments made relative to the nursing home annual assessment fee shall be available to and used by the bureau of TennCare for the sole purpose of providing payment to nursing homes.

(g) No part of the nursing home annual assessment fee payments made by nursing homes under this section and received by this state; the investment earnings credited to the nursing home annual assessment fee payments; the interest and penalties paid under this section by any nursing home; or the funds generated by federal matching payments made relative to the nursing home annual assessment fee shall be used for any purpose other than providing payment to nursing homes.

(h) The fund shall be used exclusively for the following purposes:

(1) To make expenditures for nursing facility services under the TennCare program for FY 2014- 2015 at the full rates as set in accordance with § 71-5-105(a)(3)(B-D), that would have been subject to reduction by the bureau of TennCare for FY 2014-2015, except for the availability of one-time funding for that year only. Payment of full rates as described in this section shall be satisfied before making any other payments from the fund.

(2) To make medicaid payments for nursing facility services which exceed the amount of full nursing home medicaid rates, as calculated in accordance with the approved state medicaid plan in effect on July 1, 2014, including but not limited to a supplemental transitional payment to nursing facilities for the transition to an acuity based reimbursement system;

(3) To provide funding for the implementation of that acuity-based reimbursement system upon implementation of an acuity-based reimbursement system, that shall include at a minimum a quality performance component for nursing facility services and a nursing rate component. The nursing rate component shall be adjusted by the average medicaid case-mix of the facility utilizing the Skilled Nursing Facility (SNF) Prospective Payment

System (PPS) Resource Utilization Group-Version 4 (RUG-IV), 48-Grouper model; and

(4) To pay nursing home covered services covered for medicaid beneficiaries within medicare upper payment limits, as negotiated with the bureau. The upper payment limit of all nursing homes shall be calculated by the bureau using the higher of the cost based or prospective payment system approach in accordance with 42 C.F.R. 447.272.

(i) Any funds remaining in the nursing home assessment trust fund after payments are made as provided for in subsection (h) above shall remain in the trust fund as a reserve for future uses consistent with subsection (h). If the funds in the nursing home assessment trust fund are insufficient to meet all the purposes established in § 71-5-2804(b), the bureau of TennCare shall not be required to procure additional funding from other sources to make the payments noted in § 71-5-2804(b), but instead shall be permitted to reduce all payments on a pro rata basis so as not to exceed the amounts held at any time in the nursing home assessment trust fund.

71-5-2803.

(a) Each nursing home shall pay the nursing home assessment in monthly installments to the account in accordance with this part.

(b) The aggregated amount of assessments for all nursing facilities during a fiscal year shall not be less than the amount necessary to fund the provisions of this part or exceed the maximum amount that may be assessed pursuant to the indirect guarantee threshold as established pursuant to 42 C.F.R. 433.68(f)(3)(i). The bureau shall determine the assessment rate prospectively for the applicable fiscal year on a per-resident-day basis, exclusive of medicare resident days. The per-resident day assessment rate shall be uniform. The bureau shall promulgate rules for facility reporting of non-medicare resident days and for payment of the assessment

(c) The aggregated amount of assessments for all nursing facilities from the commencement date through June 30, 2015, shall equal four and one-half percent (4.5%) of the net patient service revenue as defined in § 71-5-2801.

(d) The initial monthly installment due after the commencement date shall be due not later than sixty (60) days after the commencement date, unless a later date is set by the bureau. Payments for subsequent months are due not later than twenty-five (25) days after the end of each calendar month.

(e) Nursing homes shall not create a separate line-item charge on the bill reflecting the assessment.

(f) The annual assessment imposed by this part shall not be effective and validly imposed until the bureau:

(1) Has provided to the Tennessee Health Care Association written notice that includes a determination from the Centers for Medicare and Medicaid Services (CMS) that the annual assessment is a permissible source of revenue that shall not adversely affect the amount of federal financial participation in the TennCare program; and

(2) Has provided evidence that the bureau of TennCare will implement an acuity-based reimbursement methodology for nursing facility care developed in consultation with the Tennessee Health Care Association.

71-5-2804.

(a) Upon enactment of the assessment fee pursuant to this part, the bureau of TennCare shall make increased payments to nursing care facilities for FY 2014-2015 as a part of a transition to a full acuity-based reimbursement system.

(b) During FY 2014-2015, the bureau of TennCare shall make a supplemental transitional payment to nursing facilities for the transition to an acuity based reimbursement system, which exceeds the amount of nursing home medicaid rates, in the aggregate, as calculated in accordance with the approved state medicaid plan in effect on July 1, 2014. The total aggregate amount of funds available for this supplemental payment shall be equal to the difference between:

(1) The aggregated amount of nursing home trust fund assessments scheduled to be paid by all nursing homes during a FY 2014-2105; and

(2) The total amount of nursing home privilege tax paid by all nursing homes during FY 2013-2014. The supplemental transitional payments shall be allocated as follows, in consultation with the Tennessee Health Care Association:

(A) Thirty-percent (30%) allocated in the same manner as the 2013 acuity payment;

(B) Thirty-percent (30%) allocated strictly based on medicaid day-weighted CMI score;

(C) Twenty-percent (20%) allocated based on quality measures adopted by the bureau of TennCare and the Tennessee Health Care Association;

(D) Nineteen-percent (19%) allocated to fund full payment of nursing facility reimbursement rates as set forth in § 71-5-2802(h)(1); and

(E) One-percent (1%) allocated for administrative costs associated with systems development, which shall be used to implement an electronic cost report submission system and online process for facilities to submit data needed to support the new acuity-based reimbursement system.

71-5-2805.

(a) The bureau shall seek necessary federal approval in the form of state plan amendments in order to implement the provisions of this part, if it determined such approvals are necessary.

(b) The bureau is authorized to adopt rules and regulations necessary to implement the provisions of this part or obtain approval of the state plan amendments.

71-5-2806.

(a) If any part of any assessment fee imposed by §71-5-2803 is not paid on or before the due date, a penalty of five percent (5%) of the amount due shall at once accrue and be added to such assessment fee. Thereafter, on the first day of each month during which any part of any assessment fee or any prior accrued penalty remains unpaid, an additional penalty of five percent (5%) of the then unpaid balance shall accrue and be added to such assessment fee or prior accrued penalty. Payment shall be deemed to have been made upon date of deposit in the United States mail.

(b) The commissioner of health may for good cause approve an alternative payment plan, as long as full payment of the assessment fee plus any penalties are made. So long as the facility is current with payment of the current assessment and any authorized payment plan approved by the commissioner, no further penalties will be applied. Any payments after a penalty is assessed under this section shall be credited first to unpaid assessment amounts rather than to penalty amounts, beginning with the most delinquent installment.

(c) If a nursing home is more than ninety (90) days delinquent in paying an installment of its annual nursing home assessment fee or becomes delinquent on an approved payment plan, the commissioner shall initiate proceedings before the board for licensing health care facilities ("board"), in accordance with the Uniform Administrative Procedures Act, as compiled in title 4, chapter 5, so that the board may suspend admissions to the facility or otherwise direct the facility to pay the assessment fee and any accrued penalties in full within a prescribed period of time. If the facility does not pay the assessment fee and any accrued penalties in full within the prescribed period of time as directed by the board, the board shall suspend admissions to the facility. Any suspension of admissions imposed according to this section shall immediately be lifted following the full payment of the assessment fee and any accrued penalties by the facility. If full payment of the assessment fee and any accrued penalties is not paid within sixty (60) days from the first day of the suspension of admissions, the commissioner shall be authorized to initiate proceedings before the board in accordance with the Uniform Administrative Procedures Act so that the board may consider the revocation of the facility's license.

(d) The board may waive, in whole or in part, any penalty imposed under this section upon a determination that there is good cause for such a waiver. A board waiver shall excuse the payment of that penalty amount but shall not excuse payment of any assessments.

71-5-2807.

For the purposes of this part, any nursing home participating in the medicaid program shall file cost reports in accordance with the rules adopted by the bureau. Any nursing home participating in the medicaid program that does not adopt the uniform classification of accounts, or other acceptable accounting methods as shall be established by the rules of the bureau, in consultation with the comptroller of the treasury and the Tennessee Health Care Association, or does not submit cost data as required by the bureau, shall be assessed a penalty of one hundred dollars (\$100.00) for each day such provider is not in compliance with this section. The bureau may waive, in whole or in part, any penalty upon a determination that there is good cause for such a waiver. The penalty imposed by this section shall supercede any penalty imposed under § 12-4-304.

71-5-2808.

The fiscal review committee shall review and have oversight of the implementation of this part and the nursing home assessment trust fund.

71-5-2809.

Enactment of this part and any amendments to this part shall not operate to excuse the monthly installment payment of the nursing home assessment fee due on July 15, 2014 pursuant to § 68-11-216(c).

71-5-2810.

(a) The nursing home annual assessment fee established by this part shall terminate on June 30, 2015.

(b) The assessment imposed by this part shall be suspended if the bureau agency attempts to utilize the money in the account for any use other than permitted by this part;

(c) Any assessment fee obligation imposed by § 71-5-2803 shall be suspended to the extent that, and for the period that receipt of the assessment fee by the state results in, a corresponding reduction in federal financial participation under Title XIX of the federal Social Security Act, compiled in 42 U.S.C. § 1396 et seq.

71-5-2811.

(a) If the bureau of TennCare has not received the necessary approvals from the Centers for Medicare and Medicaid Services to impose this annual assessment prior to July 1, 2014, or cannot administratively implement the provisions of § 71-5-2802 and § 71-5-2803 prior to July 1, 2014, the assessment fee shall be set pursuant to subsection (b) below until the commencement date.

(b) Upon the occurrence of the conditions described in subsection (a), the amount of the assessment fee shall be set at and uniformly applied to all beds licensed as nursing home beds by this state on July 1, 2014, for the fiscal year following that date at the rate of two thousand two hundred twenty-five dollars (\$2,225) per licensed bed per year. Licensed facilities that are owned or operated by an agency of this state are not excluded from paying the assessment fee. There shall be no exclusions, deductions or adjustments applied to the assessment fee of any licensed facility different from any other such facility. Beds licensed after July 1, 2014, shall pay a prorated amount of the annual assessment fee for the fiscal year following such date, provided, that no such assessment fee shall be due to the extent that the beds licensed after July 1, 2013, where the result of the transfer of such beds from one (1) licensed facility to another licensed facility, where the transferor facility had already paid the full amount of the assessment fee on such beds, or where the

transferor facility agrees to continue to pay the monthly installments due with respect to such beds. Such assessment fee shall be paid in equal monthly installments of one-twelfth (1/12) of two thousand two hundred twenty-five dollars (\$2,225) per licensed bed per year. The installments are due on the fifteenth day of each following month beginning August 15, 2014, for the July 2014 installment and ending with a final payment on the fifteenth of the month following the commencement date.

(c) This section shall have no effect after the commence date set by § 71-5-2801.

SECTION 2. Tennessee Code Annotated, Section 71-5-1412, is amended by deleting the date "June 30, 2015" in subsection (c) and inserting the date "June 30, 2017".

SECTION 3. This act shall take effect July 1, 2014, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1, as amended, was adopted.

Rep. Harrison moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 1783 by deleting the period (.) at the end of subdivision (h)(1) in § 71-5-2802 in SECTION 1 and substituting instead a semicolon (;).

AND FURTHER AMEND by deleting the language "nursing care facilities" in subsection (a) in § 71-5-2804 in SECTION 1 and substituting instead the language "nursing facilities".

AND FURTHER AMEND by deleting the language "during a FY 2014-2105" in § 71-5-2804(b)(1) in SECTION 1 and substituting instead the language "during FY 2014-2015".

AND FURTHER AMEND by deleting the language "bureau agency" in subsection (b) in § 71-5-2810 in SECTION 1 and by substituting instead the language "bureau".

AND FURTHER AMEND by deleting the semicolon (;) at the end of subsection (b) in § 71-5-2810 in SECTION 1 and substituting instead a period (.).

AND FURTHER AMEND by deleting the language "commence date" in subsection (c) in § 71-5-2811 in SECTION 1 and substituting instead the language "commencement date".

AND FURTHER AMEND by deleting the language "licensed after July 1, 2013, where the result" in subsection (b) in § 71-5-2811 in SECTION 1 and substituting instead the language "licensed after July 1, 2014, were the result".

On motion, Amendment No. 2 was adopted.

Rep. Harrison moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Dennis moved adoption of Amendment No. 4 as follows:

Amendment No. 4

AMEND House Bill No. 1783 by deleting the language “commissioner of health” and by substituting instead the language “bureau of TennCare” in the first sentence of § 71-5-2806(b) of the amendatory language of Section 1 as amended.

AND FURTHER AMEND by deleting the language “commissioner” and substituting instead the language “bureau of TennCare” in the second sentence of § 71-5-2806(b) of the amendatory language of Section 1 as amended.

AND FURTHER AMEND by deleting the language “commissioner” wherever it appears in § 71-5-2806(c) of the amendatory language of Section 1 as amended and by substituting instead the language “bureau of TennCare”.

AND FURTHER AMEND by adding the following as a new subsection (e) to § 71-5-2806 of the amendatory language of Section 1 as amended:

(e)

(1) Any facility that is delinquent on the payment of its nursing home annual assessment fee as provided for in § 68-11-216 as of July 16, 2014 must establish a payment plan as provided for in this section.

(2) If a facility has established a payment plan concerning the delinquency that has been approved by the bureau of TennCare by August 15, 2014, all fees and penalties imposed by this section shall not be imposed so long as the facility is current with its payment plan, and no interest shall accrue on any balance unpaid as of July 1, 2014.

(3) If a facility has not established a payment plan approved by the bureau of TennCare by August 15, 2014, the bureau shall have the authority to recoup the amount of any supplemental transitional payments as provided for in § 71-5-2804(b)(2)(A)-(C), and such amounts shall be applied to reduce the unpaid balance of any nursing home assessment fees owed by the facility.

AND FURTHER AMEND by adding the following as a new subsection (c) to § 71-5-2811 of the amendatory language of Section 1 as amended and by redesignating the existing subsection (c) as subsection (d):

(c) The penalties authorized under § 71-5-2806 shall apply to delinquencies arising under this section.

On motion, Amendment No. 4 was adopted.

Rep. Harrison moved that **House Bill No. 1783**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	87
Noes.....	3
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Jernigan, Johnson C, Johnson G, Jones, Keisling, Lamberth, Littleton, Lollar, Lundberg, Marsh, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Odom, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 87

Representatives voting no were: Carr J, Lynn, Windle -- 3

Representatives present and not voting were: Love -- 1

A motion to reconsider was tabled.

House Bill No. 2171 -- Medical Occupations - As introduced, requires that nurse practitioners and physician assistants keep current the name of their supervising physicians in their online profiles and makes failure to do so punishable by administrative discipline by licensing boards. - Amends TCA Title 63 and Title 67. by *Rich, *Harrison. (*SB1853 by *Crowe)

Rep. Rich moved that House Bill No. 2171 be passed on third and final consideration.

Rep. Ramsey moved adoption of Health Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2171 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 63-51-105(a), is amended by adding the following as a new subdivision:

() For the profile of a holder of a certificate of fitness pursuant to § 63-7-123 or any physician assistant licensed under § 63-19-105, the name of the holder's or assistant's supervising physician;

SECTION 2. Tennessee Code Annotated, Section 63-51-115, is amended by deleting the section in its entirety and substituting instead:

Under the provisions of this chapter, the department of health only compiles information. The department shall not vouch for or assert the accuracy of any information it disseminates under this chapter. Before the department disseminates information to consumers under this chapter, the department shall permit each provider, hospital, or managed care organization, whose information is to be disseminated, the opportunity to review and correct any information the department proposes to disseminate. The department shall also allow a supervising physician at any time the opportunity to review, accept, and update the existence of a supervisory relationship between the physician and the holder of a certificate of fitness pursuant to § 63-7-123 or a physician assistant licensed under § 63-19-105. On or after January 1, 2015, the supervisory relationship contained in the controlled substance database, as established in title 53, chapter 10, part 3, shall be used by the department to update provider profiles which have been established pursuant to this chapter. The department shall not be

subject to any suit for damages concerning any information that the department disseminates that a provider, hospital, managed care organization, or supervisory physician had the opportunity to correct, but did not correct. Nothing contained in this section shall repeal or override the confidentiality provisions contained in title 53, chapter 10, part 3, except to the extent that the department uses the information to update the existence of a supervisory relationship between a physician and a holder of a certificate of fitness pursuant to § 63-7-123 or a physician assistant licensed under § 63-19-105.

SECTION 3. Tennessee Code Annotated, Section 63-51-117(d), is amended by deleting the subsection in its entirety and substituting instead:

(d) Each provider who has submitted information pursuant to this chapter must update that information in writing or online by notifying the department within thirty (30) days after the occurrence of an event or the attainment of a status that is required to be reported. With respect to updated information required to be submitted pursuant to § 63-51-105(a)(5)(A), the department shall accept information updating a profile as it relates only to a physician licensed pursuant to chapter 6 or 9 of this title if the information is received within thirty (30) days of final payment in writing or online from either the provider or the provider's health care liability carrier and the carrier attests, in writing to the department, that it is the provider's health care liability carrier that has made the payment and that the carrier has confirmed in writing or online to the provider that the information has been reported to the department for purposes of updating the provider's profile.

SECTION 4. This act shall take effect on January 1, 2015, the public welfare requiring it.

On motion, Health Committee Amendment No. 1 was adopted.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Matheny

Representative Gilmore

REGULAR CALENDAR NO. 3, CONTINUED

Rep. Rich moved that **House Bill No. 2171**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

House Bill No. 2174 -- Hospitals and Health Care Facilities - As introduced, establishes appeals process for persons who are determined ineligible for TennCare nursing facility services or who are involuntarily discharged from a nursing facility. - Amends TCA Title 71, Chapter 5, Part 14. by *Rich, *Harrison. (*SB1871 by *Overbey)

Rep. Rich moved that House Bill No. 2174 be passed on third and final consideration.

Rep. Ramsey moved adoption of Health Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2174 by deleting Section 1 in its entirety and substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, Part 14, is amended by adding the following as new sections:

71-5-1423. If a resident appeals the facility's notice of involuntary discharge to that resident and a hearing is requested pursuant to 42 C.F.R. § 431.220(a)(3) before the bureau of TennCare:

(1) The hearing shall be conducted and a final order rendered within ninety (90) days from the date of the resident's appeal of the facility's involuntary discharge notice;

(2) The timeframe specified in subdivision (1) may be extended or continued with the consent of both the facility and the resident; and

(3) The timeframe specified in subdivision (1) may be extended by the presiding administrative law judge without the consent of the facility, but only after a showing by the resident, or the resident's representative, that the resident faces a substantial threat of irreparable damage or injury if a continuance is not granted.

71-5-1424. If an individual appeals TennCare's initial determination that they are not eligible for TennCare nursing facility services:

(1) The hearing on any appeal of an initial determination that the individual is not financially eligible shall be conducted and a final order rendered within ninety (90) days from the date of the individual's appeal;

provided, however, if the individual files a petition for reconsideration of an initial order or appeals an order, other than a final order, pertaining to an initial determination made by TennCare under this section prior to the expiration of the ninety-day period, the running of the ninety-day period shall be tolled pending the outcome of such petition for reconsideration or appeal; and

(2) The facility may be entitled to participate in any proceeding and hearing that appeals an initial determination that the individual is not financially or medically eligible through the filing of a motion to intervene in that proceeding under § 4-5-310.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. Rich moved that **House Bill No. 2174**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

***House Bill No. 2027** -- Alcoholic Beverages - As introduced, authorizes a winery or farm wine permit holder to conduct business at satellite locations; establishes a small winery wholesalers license; allows a winery, farm wine permit holder, manufacturer or retailer store to charge for samples; limits size of wine samples. - Amends TCA Title 57. by *Haynes, *Sanderson, *Casada, *McManus, *Matheny, *Todd, *Shaw, *Weaver, *Turner M, *Johnson C, *Williams K, *Sargent. (SB2415 by *Bowling, *Dickerson, *Crowe, *Niceley, *Ketron)

On motion, House Bill No. 2027 was made to conform with **Senate Bill No. 2415**; the Senate Bill was substituted for the House Bill.

Rep. Haynes moved that Senate Bill No. 2415 be passed on third and final consideration.

Rep. Butt moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Alexander moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND Senate Bill No. 2415 by adding the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION __. Tennessee Code Annotated, Section 57-3-104(c), is amended by adding the following language as a new, appropriately designated subdivision:

() Refuse to issue or renew a license or permit if, upon investigation, the commission finds that the applicant for a license or permit has not demonstrated the financial capacity to operate the business in a manner consistent with the regulations of the commission or is not generally paying its debts as they come due except for debts as to which there is a bona fide dispute;

SECTION __. Tennessee Code Annotated, Section 57-3-813, is amended by adding the following language at the end of the section:

In order to facilitate the implementation of this section, all payments to wholesalers by such licensees shall be made by electronic funds transfer, credit card, debit card, or such other method as approved by the commission that will facilitate full payment at or near the time of delivery.

SECTION __. Tennessee Code Annotated, Section 57-3-202, is amended by adding the following language as a new subsection (i):

(i)

(1) Any nonprofit association organized to encourage and support the manufacture of alcoholic beverages with three (3) or more manufacturers licensed under this section or non-manufacturer non-

-resident sellers licensed under § 57-3-602(c) as members shall be allowed to hold not more than fifteen (15) alcoholic beverage festivals per calendar year. Each festival shall not exceed a period of seventy-two (72) hours.

(2) Any manufacturer licensed under this section or non-manufacturer non-resident seller licensed under § 57-3-602(c) participating in a festival authorized by this subsection (i) shall be allowed to transport, serve and offer complimentary samples of any alcoholic beverage lawfully manufactured by the manufacturer or on behalf of the non-manufacturer non-resident seller pursuant to § 57-3-602(c) for tasting at the festival.

(3) Any manufacturer licensed under this section or non-manufacturer non-resident seller licensed under § 57-3-602(c) participating in a festival authorized by this subsection (i) shall be allowed to transport alcoholic beverages produced by that manufacturer or on behalf of that non-manufacturer non-resident seller to sell at the festival for consumption off-premises.

(4)

(A) Any nonprofit association authorized by this subsection (i) to hold an alcoholic beverage festival shall apply for a special occasion license as defined in § 57-4-102, in order for participating manufacturers licensed under this section or non-manufacturer non-resident sellers licensed under § 57-3-602(c) to serve complimentary samples as described in subdivision (i)(2) and to sell alcoholic beverages produced by the manufacturers or on

behalf of the non-manufacturer non-resident sellers for consumption off-premises.

(B) Notwithstanding § 57-4-102(32)(A), a special occasion license issued for an alcoholic beverage festival authorized by this subsection (i) shall be for the duration of the festival for which application is made for a period not to exceed seventy-two (72) hours. A special occasion license issued pursuant to this subsection (i) shall only be available upon the payment of the fee as required by law for each separate day of the festival.

(C) A nonprofit association authorized to conduct an alcoholic beverage festival pursuant to this subsection (i) shall be permitted to hold the festival in any municipality or county of the state in the manner provided in subdivision (i)(5).

(5) A nonprofit association, as defined in subdivision (i)(1), is authorized to conduct an alcoholic beverage festival pursuant to this subsection (i) in a municipality or county of this state that has approved the sale of alcoholic beverages or has a licensed manufacturer located in that municipality or county, subject to complying with all permit requirements of the municipality or county, and in all other municipalities or counties upon receiving approval of the legislative body of the municipality or county to hold such festival at a location and in such manner authorized by such legislative body.

SECTION __. Tennessee Code Annotated, Section 57-3-202(h)(1), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(1) A manufacturer's license issued or renewed under this section to a manufacturer shall also allow such manufacturer to sell at retail on the licensed premises of the manufacturer products that are manufactured on the manufacturer's premises; provided, that no more than five gallons (5 gal.) or one-sixth (1/6) of a barrel of its products may be sold to any one (1) individual per visit to the premises. The manufacturer may serve samples of the product manufactured or distilled at the premises to any person of legal drinking age with or without cost or may include such samples as part of a tour of the manufacturer's or distiller's premises available to the public with or without cost. Such samples may be made available at any location on the manufacturing premises permitted by federal law. The manufacturer shall disclose to the commission the location where samples are available. The hours of sale for the manufacturer to sell products at retail shall be between the hours of eight o'clock a.m. (8:00 a.m.) and eleven o'clock p.m. (11:00 p.m.) on Monday through Saturday and between the hours of twelve o'clock (12:00) noon and seven o'clock p.m. (7:00 p.m.) on Sunday.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Todd moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 2415 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____ Tennessee Code Annotated, Section 57-4-203, is amended by adding the following language as a new subsection:

(n) In order to facilitate the prompt payment of state taxes imposed upon wholesalers, payment for all sales to any licensee holding a license under this part by a wholesaler shall be made upon delivery of the product and shall be made by electronic funds transfer, credit card, debit card, or such other method as approved by the commission that will facilitate full payment at or near the time of delivery.

On motion, Amendment No. 3 was adopted.

Rep. Todd moved adoption of Amendment No. 4 as follows:

Amendment No. 4

AMEND Senate Bill No. 2415 By deleting the language "part" and substituting instead the language "chapter" in the amendatory language of House Amendment No. 3 (#016134).

On motion, Amendment No. 4 was adopted.

Rep. Haynes moved that **Senate Bill No. 2415**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	73
Noes.....	13
Present and not voting.....	8

Representatives voting aye were: Akbari, Armstrong, Bailey, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dennis, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill T, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Marsh, McCormick, McDaniel, McManus, Miller, Mitchell, Odom, Parkinson, Pitts, Powell, Ragan, Ramsey, Rich, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Spivey, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 73

Representatives voting no were: Brooks H, Brooks K, DeBerry J, Dunn, Floyd, Hill M, Love, Lynn, Matlock, Moody, Roach, White M, Windle -- 13

Representatives present and not voting were: Alexander, Butt, Dean, Doss, Evans, Pody, Powers, Sparks -- 8

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “aye” to “no” on the **Senate Bill No. 2415** and have this statement entered in the Journal: Rep(s). Lollar.

REGULAR CALENDAR NO. 3, CONTINUED

***House Bill No. 47** -- Alcoholic Beverages - As introduced, decreases, from two years to one year and from 10 years to five years, the residency requirements for the issuance of a retailer's license to sell alcoholic beverages; specifies, if the next of kin takes over a valid retail license in the event of death of the holder, the residency requirements do not apply. - Amends TCA Title 57. by *Haynes, *Lundberg, *Sexton, *Durham. (SB289 by *Ketron, *Green, *Kelsey, *Dickerson, *Tate)

On motion, House Bill No. 47 was made to conform with **Senate Bill No. 289**; the Senate Bill was substituted for the House Bill.

Rep. Haynes moved that Senate Bill No. 289 be passed on third and final consideration.

Rep. Sanderson moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sanderson moved that State Government Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Alexander moved that Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 3, be withdrawn, which motion prevailed.

Rep. Alexander moved that Amendment No. 4 be withdrawn, which motion prevailed.

Rep. Fitzhugh moved that Amendment No. 5 be withdrawn, which motion prevailed.

Rep. Mitchell moved that Amendment No. 6 be withdrawn, which motion prevailed.

Rep. Mitchell moved that Amendment No. 7 be withdrawn, which motion prevailed.

Rep. Sanderson requested that State Government Committee Amendment No. 3, as House Amendment No. 8, be placed at the heel of the amendments.

Rep. Sargent moved that Finance, Ways & Means Committee Amendment No. 2, as House Amendment No. 9, be withdrawn, which motion prevailed.

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Rep. Sargent moved that Finance, Ways & Means Committee Amendment No. 3, as House Amendment No. 10, be withdrawn, which motion prevailed.

Rep. Haynes requested that Senate Bill No. 289 be moved down two places on the Calendar, which motion prevailed.

***House Bill No. 2435** -- Alcoholic Beverages - As introduced, specifies that any special occasion license issued to a charity, nonprofit, or political organization shall only be issued up to 6 months in advance of the event and that any entity or its agents may transport wine, beer, or other alcoholic beverages to and from the event space 48 hours prior to the event. - Amends TCA Title 57. by *Eldridge, *Todd. (SB2555 by *Yager)

On motion, House Bill No. 2435 was made to conform with **Senate Bill No. 2555**; the Senate Bill was substituted for the House Bill.

Rep. Todd moved that Senate Bill No. 2555 be passed on third and final consideration.

Rep. Sanderson moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Todd moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Todd moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Todd moved that **Senate Bill No. 2555** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	72
Noes.....	14
Present and not voting.....	4

Representatives voting aye were: Akbari, Armstrong, Bailey, Brooks H, Brooks K, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dennis, Durham, Eldridge, Faison, Farmer, Favors, Forgety, Goins, Halford, Hall, Hardaway, Hawk, Haynes, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Love, Lundberg, Marsh, McCormick, McDaniel, McManus, Miller, Mitchell, Odom, Parkinson, Pitts, Powell, Ragan, Ramsey, Rich, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Watson, Weaver, White D, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 72

Representatives voting no were: Dean, DeBerry J, Dunn, Floyd, Harrison, Hill M, Hill T, Lynn, Matlock, Moody, Roach, Van Huss, White M, Windle -- 14

Representatives present and not voting were: Alexander, Evans, Pody, Powers -- 4

A motion to reconsider was tabled.

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***Senate Bill No. 289** -- Alcoholic Beverages - As introduced, decreases, from two years to one year and from 10 years to five years, the residency requirements for the issuance of a retailer's license to sell alcoholic beverages; specifies, if the next of kin takes over a valid retail license in the event of death of the holder, the residency requirements do not apply. - Amends TCA Title 57. by *Ketron, *Green, *Kelsey, *Dickerson, *Tate. (HB47 by*Haynes, *Lundberg, *Sexton, *Durham.)

Further consideration of Senate Bill No. 289 previously considered on today's Calendar at which time the House was on consideration of Amendment No. 8.

Rep. Sanderson moved that State Government Committee Amendment No. 3, as House Amendment No. 8, be withdrawn, which motion prevailed.

Rep. M. Turner moved the previous question, which motion failed by the following vote:

Ayes	55
Noes.....	30
Present and not voting.....	1

Representatives voting aye were: Akbari, Armstrong, Bailey, Coley, Cooper, Dennis, Doss, Eldridge, Evans, Faison, Favors, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Littleton, Lollar, Lundberg, Marsh, McDaniel, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Powell, Ragan, Ramsey, Rich, Sanderson, Sexton, Shaw, Shepard, Shipley, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Watson, Weaver, White D, Williams R, Madam Speaker Harwell -- 55

Representatives voting no were: Alexander, Brooks H, Brooks K, Calfee, Camper, Carr J, Carter, Casada, Dean, DeBerry J, Dunn, Durham, Farmer, Fitzhugh, Floyd, Hill M, Hill T, Lynn, Matlock, McCormick, Pody, Roach, Rogers, Spivey, Van Huss, White M, Williams K, Windle, Wirgau, Womick -- 30

Representatives present and not voting were: Powers -- 1

After further discussion Rep. Shaw moved the previous question, which motion prevailed.

Rep. Haynes moved that **Senate Bill No. 289** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	72
Noes.....	12
Present and not voting.....	8

Representatives voting aye were: Akbari, Armstrong, Bailey, Brooks K, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dennis, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lundberg, Marsh, McCormick, McDaniel, McManus, Miller, Mitchell, Odom, Parkinson, Pitts, Powell, Ragan, Ramsey, Rich, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Spivey, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 72

Representatives voting no were: Alexander, Brooks H, DeBerry J, Dunn, Floyd, Lynn, Matlock, Moody, Roach, White M, Williams K, Windle -- 12

Representatives present and not voting were: Butt, Dean, Doss, Evans, Lollar, Pody, Powers, Sparks -- 8

A motion to reconsider was tabled.

House Bill No. 859 -- Insurance, Health, Accident - As introduced, prohibits health insurance entities from imposing greater copayment and coinsurance requirements on services to covered persons from chiropractors, physical therapists or occupational therapists than on physicians. - Amends TCA Title 56, Chapter 7. by *Durham, *Rogers. (*SB726 by *Watson, *Bowling, *Massey)

On motion, House Bill No. 859 was made to conform with **Senate Bill No. 726**; the Senate Bill was substituted for the House Bill.

Rep. Durham moved that Senate Bill No. 726 be passed on third and final consideration.

Rep. McManus moved that Insurance and Banking Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Durham moved that **Senate Bill No. 726** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	88
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, Dennis, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Hill M, Hill T, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 88

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on the **Senate Bill No. 726** and have this statement entered in the Journal: Rep(s). Littleton.

REGULAR CALENDAR NO. 3, CONTINUED

***House Bill No. 1912** -- Tourism - As introduced, requires a municipality or public authority to include a resolution, adopted by the legislative body for the county in which the tourism development zone is proposed that authorizes the submission of the application, with any application for approval of the tourism development zone which would utilize any portion of the local option sales tax revenues designated for schools. - Amends TCA Title 7, Chapter 88. by *Lollar. (SB2335 by *Kelsey)

On motion, House Bill No. 1912 was made to conform with **Senate Bill No. 2335**; the Senate Bill was substituted for the House Bill.

Rep. Lollar moved that Senate Bill No. 2335 be passed on third and final consideration.

Rep. M. Hill moved that Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Coley moved the previous question, which motion prevailed.

Rep. Lollar moved that **Senate Bill No. 2335** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes.....	1
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

Representatives voting no were: Parkinson -- 1

Representatives present and not voting were: Fitzhugh -- 1

A motion to reconsider was tabled.

***House Bill No. 1913** -- Taxes, Real Property - As introduced, places restrictions on the lease or conveyance of certain property affecting the appraisal and collection of taxes through exemption. - Amends TCA Section 67-5-203. by *Lollar. (SB2337 by *Kelsey)

On motion, House Bill No. 1913 was made to conform with **Senate Bill No. 2337**; the Senate Bill was substituted for the House Bill.

Rep. Lollar moved that Senate Bill No. 2337 be passed on third and final consideration.

Rep. Haynes moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2337 by deleting from subsection (d) the language “the state or” the first two times that the language appears.

AND FURTHER AMEND by deleting from subsection (e) the language “the state or”.

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Sargent moved that Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. Lollar moved that **Senate Bill No. 2337**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 91

Representatives present and not voting were: Shepard -- 1

A motion to reconsider was tabled.

House Bill No. 2320 -- Election Laws - As introduced, requires the coordinator of elections and the state election commission to certify each voter registration system for purchase and use in the state; provides that the voter registration list is the property of the county election commission and the state; restricts the use of certain voter registration information; provides penalty for the unauthorized use of certain voter registration information. - Amends TCA Section 2-2-137 and Section 2-2-138. by *Powers. (*SB1999 by *Yager)

On motion, House Bill No. 2320 was made to conform with **Senate Bill No. 1999**; the Senate Bill was substituted for the House Bill.

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Rep. Powers moved that **Senate Bill No. 1999** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 91

A motion to reconsider was tabled.

***House Bill No. 1806** -- Safety - As introduced, authorizes the chief inspector of boilers to grant variances to the requirements for frequency of inspections. - Amends TCA Title 68, Chapter 122. by *Shipley. (SB2156 by *Green)

On motion, House Bill No. 1806 was made to conform with **Senate Bill No. 2156**; the Senate Bill was substituted for the House Bill.

Rep. Shipley moved that Senate Bill No. 2156 be passed on third and final consideration.

Rep. Marsh moved adoption of Business and Utilities Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2156 by deleting all language after the enacting clause and substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 68-122-110, is amended by adding the following language as a new subsection:

(f)

(1) Notwithstanding subsection (a), the board may, in its discretion, grant a variance for longer intervals between inspections. All requests for boiler inspection variances shall be submitted to the chief inspector or the chief inspector's designee no less than forty-five (45) days prior to the next regularly scheduled or called meeting of the board.

(2) The board shall produce a guide and checklist setting forth conditions which must be met before a variance for longer intervals between inspections may be granted.

(3) All boilers operating under a variance pursuant to subsection (f) shall be inspected externally while under pressure approximately every six (6) months for the duration of the variance.

(4) Any boiler that fails an external inspection pursuant to subdivision (f)(3), shall be shut down and inspected internally, and the variance shall be rescinded.

(g) The board may also, in its discretion, grant other variances where the board deems it necessary in order to protect the health, safety and welfare of the public. All

requests for variances shall be submitted to the chief inspector or the chief inspector's designee no less than forty-five (45) days prior to the next regularly scheduled or called meeting of the board.

SECTION 2. Tennessee Code Annotated, Section 68-122-111(a), is amended by deleting the language "fourteen (14) months" and substituting instead "twenty-four (24) months".

SECTION 3. This act shall take effect July 1, 2014, the public welfare requiring it.

On motion, Business and Utilities Committee Amendment No. 1 was adopted.

Rep. Shipley moved that **Senate Bill No. 2156**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

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***House Bill No. 1400** -- Handgun Permits - As introduced, changes the timeframe in which a handgun carry permit expires from 4 years to 5 years; allows the commissioner of safety to stagger initial January 1, 2016, renewal so that the 5 year expiration will occur on the permit holder's birthday and at same time as the person's driver license. - Amends TCA Title 39, Chapter 17, Part 13. by *Goins, *Powers, *Dunn, *Bailey, *Hawk, *Todd, *Kane, *Hall, *Moody. (SB1672 by *Southerland, *Overbey, *Bowling, *Campfield)

On motion, House Bill No. 1400 was made to conform with **Senate Bill No. 1672**; the Senate Bill was substituted for the House Bill.

Rep. Goins moved that Senate Bill No. 1672 be passed on third and final consideration.

Rep. Lundberg moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Goins moved that **Senate Bill No. 1672** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 89
Noes..... 1

Representatives voting aye were: Akbari, Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rich, Roach, Rogers, Sanderson, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 89

Representatives voting no were: Cooper -- 1

A motion to reconsider was tabled.

House Bill No. 2278 -- Cooperatives - As introduced, revises various cross-references addressing the nonapplicability or qualified applicability of certain provisions of the Tennessee Nonprofit Corporation Act to cooperatives. - Amends TCA Section 48-69-122 and Section 65-25-225. by *Goins, *Lamberth. (*SB2203 by *Johnson)

On motion, House Bill No. 2278 was made to conform with **Senate Bill No. 2203**; the Senate Bill was substituted for the House Bill.

Rep. Goins moved that **Senate Bill No. 2203** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

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Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

House Bill No. 2133 -- Local Education Agencies - As introduced, allows LEA employees who are not teachers, but who accrue sick leave, to participate in the LEA's teacher sick leave bank. - Amends TCA Title 49, Chapter 5, Part 7 and Title 49, Chapter 5, Part 8. by *Ragan, *Brooks H. (*SB2311 by *McNally, *Burks)

On motion, House Bill No. 2133 was made to conform with **Senate Bill No. 2311**; the Senate Bill was substituted for the House Bill.

Rep. Ragan moved that Senate Bill No. 2311 be passed on third and final consideration.

Rep. H. Brooks moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Ragan moved that **Senate Bill No. 2311** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96

Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

***House Bill No. 1938** -- Taxes, Real Property - As introduced, permits continued property tax exemption for property financed by certain federal programs, when the loan has been paid in full and the property continues to be used for elderly persons or persons with

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disabilities. - Amends TCA Title 67, Chapter 5, Part 2. by *Odom. (SB2283 by *Dickerson, *Campfield, *Crowe, *Harper, *Norris)

On motion, House Bill No. 1938 was made to conform with **Senate Bill No. 2283**; the Senate Bill was substituted for the House Bill.

Rep. Odom moved that Senate Bill No. 2283 be passed on third and final consideration.

Rep. Haynes moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Odom moved that **Senate Bill No. 2283** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 1

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

Representatives voting no were: Turner M -- 1

A motion to reconsider was tabled.

MOTION TO RESET BILLS

Rep. McCormick moved that all the remaining bills set for today's Regular Calendar No. 3 be reset for the next available spaces on the next available Calendars on April 15, 2014, which motion prevailed.

SPECIAL ORDER

Without objection, Rep. McCormick moved the House take up Consent Calendar No.2, out of order at this time as follows:

CONSENT CALENDAR NO. 2

House Resolution No. 252 -- Memorials, Interns - Desiree Taylor Anderson. by *Lundberg, *McManus, *Sexton.

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House Resolution No. 253 -- Memorials, Interns - Blake Jennings Meeks. by *McManus, *Lundberg, *Sexton.

House Resolution No. 254 -- Memorials, Interns - Mark Naifeh. by *McManus, *Lundberg, *Sexton.

House Resolution No. 255 -- Memorials, Interns - Keith Milburn. by *Cooper.

House Resolution No. 256 -- Memorials, Interns - Tomi Assan. by *Cooper.

House Resolution No. 257 -- Memorials, Professional Achievement - Fayette Family Vision Care, Oakland Regional Chamber of Commerce Small Business of the Year. by *Rich.

House Resolution No. 258 -- Memorials, Interns - Laura Moore. by *Sparks.

House Resolution No. 259 -- Memorials, Recognition - Noah Smith, Jr. Division of the Southern Appalachian Science & Engineering Fair. by *Powers.

House Resolution No. 260 -- Memorials, Recognition - Morgan Simpson, Jr. Division of the Southern Appalachian Science & Engineering Fair. by *Powers.

House Resolution No. 261 -- Memorials, Recognition - Elijah Brock, Jr. Division of the Southern Appalachian Science & Engineering Fair. by *Powers.

House Resolution No. 262 -- Memorials, Death - James Reynolds. by *Powers.

House Resolution No. 263 -- Memorials, Academic Achievement - Apsu Lewis, Salutatorian, Hollis F. Price Middle College. by *Hardaway.

House Resolution No. 264 -- Memorials, Academic Achievement - Jatryce Bush, Valedictorian, Hollis F. Price Middle College. by *Hardaway.

House Resolution No. 265 -- Memorials, Academic Achievement - Katie Han, Valedictorian, White Station High School. by *Hardaway.

House Resolution No. 266 -- Memorials, Academic Achievement - Jingxin Li, Salutatorian, White Station High School. by *Hardaway.

House Resolution No. 267 -- Memorials, Academic Achievement - Daniel Rose, Salutatorian, Overton High School. by *Hardaway.

House Resolution No. 268 -- Memorials, Academic Achievement - Olivia Campbell, Valedictorian, Overton High School. by *Hardaway.

House Resolution No. 269 -- Memorials, Academic Achievement - Britney Payne, Valedictorian, East High School. by *Hardaway.

House Resolution No. 270 -- Memorials, Academic Achievement - Briana Osei, Salutatorian, East High School. by *Hardaway.

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House Resolution No. 271 -- Memorials, Academic Achievement - Monique Barksdale, Salutatorian, Central High School. by *Hardaway.

House Resolution No. 272 -- Memorials, Academic Achievement - Candace Grisham, Valedictorian, Central High School. by *Hardaway.

House Resolution No. 273 -- Memorials, Interns - Reeca Mitchell. by *Gilmore, *Jones, *DeBerry J.

House Resolution No. 274 -- Memorials, Interns - Paul Armas. by *Jernigan, *Windle, *Stewart.

House Resolution No. 275 -- Memorials, Personal Occasion - Roy and Doris Heath, 50th anniversary. by *Cooper, *Towns.

House Resolution No. 276 -- Memorials, Recognition - Greene Technology Center, 40th anniversary. by *Hawk, *Faison.

House Resolution No. 277 -- Memorials, Interns - Hannah Smith. by *Turner J.

House Joint Resolution No. 1055 -- Memorials, Academic Achievement - Trent Curtis Brooks, Salutatorian, Dickson County High School. by *Littleton.

House Joint Resolution No. 1056 -- Memorials, Academic Achievement - Davis Cole Easley, Valedictorian, Dickson County High School. by *Littleton.

House Joint Resolution No. 1057 -- Memorials, Academic Achievement - Brianna Nicole Felts, Salutatorian, Creekwood High School. by *Littleton.

House Joint Resolution No. 1058 -- Memorials, Academic Achievement - Leah Beth Grubb, Valedictorian, Creekwood High School. by *Littleton.

House Joint Resolution No. 1059 -- Memorials, Interns - Michael Johnson. by *Towns.

House Joint Resolution No. 1060 -- Memorials, Recognition - Tonya Jones. by *Towns.

House Joint Resolution No. 1061 -- Memorials, Interns - Caleb Poore. by *Brooks H.

House Joint Resolution No. 1062 -- Memorials, Retirement - Bill Cox. by *Dean.

House Joint Resolution No. 1063 -- Memorials, Death - Brittany Allen Webb. by *Faison.

House Joint Resolution No. 1064 -- Memorials, Interns - Keeyona Love. by *Faison.

House Joint Resolution No. 1065 -- Memorials, Death - Gene Edward Templin, Sr. by *Faison.

House Joint Resolution No. 1066 -- Memorials, Recognition - Reverend Dr. Fred C. Lofton. by *DeBerry J.

House Joint Resolution No. 1067 -- Memorials, Retirement - Thomas Michel "Mike" Bottoms, District Attorney General, 22nd Judicial District of the State of Tennessee. by *Doss.

House Joint Resolution No. 1068 -- Memorials, Academic Achievement - Allison Clark, Salutatorian, Culleoka Unit School. by *Butt.

House Joint Resolution No. 1069 -- Memorials, Academic Achievement - Christina Oakley, Valedictorian, Culleoka Unit School. by *Butt.

House Joint Resolution No. 1070 -- Memorials, Academic Achievement - Dakota Brown, Salutatorian, Mt. Pleasant High School. by *Butt.

House Joint Resolution No. 1071 -- Memorials, Academic Achievement - Faith Boshers, Valedictorian, Mt. Pleasant High School. by *Butt.

House Joint Resolution No. 1072 -- Memorials, Academic Achievement - Nicholas Laffey, Salutatorian, Columbia Central High School. by *Butt.

House Joint Resolution No. 1073 -- Memorials, Academic Achievement - Mary Ellen Nyhus, Valedictorian, Columbia Central High School. by *Butt.

House Joint Resolution No. 1074 -- Memorials, Academic Achievement - Anna Waugh, Salutatorian, Zion Christian Academy. by *Butt.

House Joint Resolution No. 1075 -- Memorials, Academic Achievement - John Abe Perryman, Valedictorian, Zion Christian Academy. by *Butt.

House Joint Resolution No. 1076 -- Memorials, Academic Achievement - Michael Thomas, Salutatorian, Columbia Academy. by *Butt.

House Joint Resolution No. 1077 -- Memorials, Academic Achievement - Christian Harris, Valedictorian, Columbia Academy. by *Butt.

House Joint Resolution No. 1078 -- Memorials, Recognition - Caney Creek Village. by *Watson.

House Joint Resolution No. 1079 -- Memorials, Academic Achievement - Rose Zeng, Valedictorian, Craigmont High School. by *Parkinson.

House Joint Resolution No. 1080 -- Memorials, Academic Achievement - Robbie Lynn Williams, Salutatorian, Memphis Academy of Health Sciences. by *Parkinson.

House Joint Resolution No. 1081 -- Memorials, Academic Achievement - Kiara D'annel Chambers, Valedictorian, Memphis Academy of Health Sciences. by *Parkinson.

House Joint Resolution No. 1082 -- Memorials, Academic Achievement - Ernesto Ortiz, Salutatorian, Craigmont High School. by *Parkinson.

House Joint Resolution No. 1083 -- Memorials, Death - John Heath. by *Travis.

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House Joint Resolution No. 1084 -- Memorials, Recognition - Command Senior Chief Curt Urani, U.S. Coast Guard. by *Travis.

House Joint Resolution No. 1085 -- Memorials, Death - Wendall Brown. by *Travis.

House Joint Resolution No. 1086 -- Memorials, Professional Achievement - Andre L. Churchwell, M.D. by *Hardaway.

House Joint Resolution No. 1087 -- Memorials, Recognition - Erin Thurston. by *Lamberth, *Weaver, *Rogers.

House Joint Resolution No. 1088 -- Memorials, Retirement - Thomas Harper. by *Weaver.

House Joint Resolution No. 1089 -- Memorials, Retirement - District Attorney General Dan M. Alsobrooks. by *Shepard.

House Joint Resolution No. 1090 -- Memorials, Retirement - Kenny Wallace. by *Mitchell.

House Joint Resolution No. 1091 -- Memorials, Retirement - Rita Carpenter. by *Mitchell.

House Joint Resolution No. 1092 -- Memorials, Retirement - Linda Forte. by *Mitchell.

House Joint Resolution No. 1093 -- Memorials, Recognition - Betty Coley Neal, 50 years of political activism. by *Weaver, *Lamberth, *Rogers.

House Joint Resolution No. 1094 -- Memorials, Retirement - Theotis Robinson. by *Armstrong, *Shaw, *Favors, *Miller, *Akbari, *Camper, *Towns, *Cooper, *Johnson G, *Gilmore, *Love, *Turner J, *Windle.

House Joint Resolution No. 1095 -- Memorials, Retirement - District Attorney General Victor S. (Torry) Johnson, III. by *Turner M, *Harwell.

House Joint Resolution No. 1096 -- Memorials, Retirement - District Attorney General Randall A. York. by *Sexton, *Bailey, *Keisling, *Williams R, *Weaver, *Windle.

House Joint Resolution No. 1097 -- Memorials, Retirement - Mitzi Williams Grogan. by *Evans.

House Joint Resolution No. 1098 -- Memorials, Recognition - Leadership Robertson County 2014. by *Evans.

House Joint Resolution No. 1099 -- Memorials, Recognition - Youth Leadership Robertson County Class of 2014. by *Evans.

House Joint Resolution No. 1100 -- Memorials, Recognition - Leadership Middle Tennessee 2014. by *Evans, *Rogers, *Pitts, *Casada, *Johnson C, *Pody, *Jones, *Shepard, *Odom, *Littleton, *Gilmore, *Weaver, *Powell, *White D, *Turner M, *Sparks, *Butt, *Womick, *Todd, *Mitchell, *Lamberth, *Stewart, *Windle, *Carr J, *Jernigan, *Sargent, *Harwell.

House Joint Resolution No. 1101 -- Memorials, Retirement - Susan Turner Taylor. by *Evans, *Rogers, *Pitts, *Casada, *Johnson C, *Pody, *Shepard, *Odom, *Littleton, *White D, *Gilmore, *Weaver, *Powell, *Turner M, *Sparks, *Carr J, *Tidwell, *Jernigan, *Womick, *Todd, *Mitchell, *Lamberth, *Stewart, *Windle, *Love, *Butt, *Sargent, *Harwell.

House Joint Resolution No. 1102 -- Memorials, Recognition - Hazel Moore, Hazel Moore Award. by *Akbari.

House Joint Resolution No. 1103 -- Memorials, Personal Occasion - Clara Macklin, 80th birthday. by *Akbari.

House Joint Resolution No. 1104 -- Memorials, Recognition - Marlon and Mechelle Wilson. by *Akbari.

House Joint Resolution No. 1105 -- Memorials, Death - Gladys Flatt. by *Bailey.

House Joint Resolution No. 1106 -- Memorials, Recognition - Dr. Nancy B. Moody, president of Tusculum College. by *Hawk, *Faison.

House Joint Resolution No. 1107 -- Memorials, Retirement - District Attorney General Berkeley Bell, Jr., Third Judicial District of the State of Tennessee. by *Hawk, *Faison.

House Joint Resolution No. 1108 -- Memorials, Sports - Heather Butler. by *Halford.

House Joint Resolution No. 1109 -- Memorials, Retirement - Elaine Gordon. by *DeBerry J.

Rep. Lundberg moved that all members voting aye on House Resolution No. 252 be added as co-prime sponsors with Rep(s). Lundberg, McManus and Sexton listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Hardaway moved that all members voting aye on House Resolution No. 263 be added as co-prime sponsors with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Hardaway moved that all members voting aye on House Resolution No. 264 be added as co-prime sponsors with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Hardaway moved that all members voting aye on House Resolution No. 265 be added as co-prime sponsors with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Hardaway moved that all members voting aye on House Resolution No. 266 be added as co-prime sponsors with the Shelby County delegation listed first, which motion

prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Hardaway moved that all members voting aye on House Resolution No. 267 be added as co-prime sponsors with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Hardaway moved that all members voting aye on House Resolution No. 268 be added as co-prime sponsors with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Hardaway moved that all members voting aye on House Resolution No. 269 be added as co-prime sponsors with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Hardaway moved that all members voting aye on House Resolution No. 270 be added as co-prime sponsors with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Hardaway moved that all members voting aye on House Resolution No. 271 be added as co-prime sponsors with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Hardaway moved that all members voting aye on House Resolution No. 272 be added as co-prime sponsors with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. H. Brooks moved that all members voting aye on House Joint Resolution No. 1061 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Dean moved that all members voting aye on House Joint Resolution No. 1062 be added as co-prime sponsors with the Hamilton County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Fitzhugh moved that all members voting aye on House Joint Resolution No. 1067 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Hardaway moved that all members voting aye on House Joint Resolution No. 1086 be added as co-prime sponsors, which motion prevailed with the following members not added

pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Shepard moved that all members voting aye on House Joint Resolution No. 1089 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Armstrong moved that all members voting aye on House Joint Resolution No. 1094 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Fitzhugh moved that all members voting aye on House Joint Resolution No. 1095 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Fitzhugh moved that all members voting aye on House Joint Resolution No. 1096 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Akbari moved that all members voting aye on House Joint Resolution No. 1102 be added as co-prime sponsors with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Rep. Fitzhugh moved that all members voting aye on House Joint Resolution No. 1107 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan and Womick.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Towns,

Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “no” on the **Senate Bill No. 2335** and have this statement entered in the Journal: Rep(s). Hardaway.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on the **Senate Bill No. 2337** and have this statement entered in the Journal: Rep(s). Hardaway.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on the **Senate Bill No. 1999** and have this statement entered in the Journal: Rep(s). Hardaway.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on the **Senate Bill No. 2156** and have this statement entered in the Journal: Rep(s). Hardaway.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on the **Senate Bill No. 1672** and have this statement entered in the Journal: Rep(s). Hardaway.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on the **Senate Bill No. 2203** and have this statement entered in the Journal: Rep(s). Hardaway.

UNFINISHED BUSINESS

CLERK’S NOTE TO THE JOURNAL

NOTICE TO RECALL BILL

Pursuant to **Rule No. 53**, Rep. Van Huss gave written notice that on April 15, 2014, a motion will be made to recall the following measure(s) from the House Finance, Ways and Means Subcommittee:

House Bill No. 2409

RULES SUSPENDED

***House Joint Resolution No. 839** -- General Assembly, Statement of Intent or Position - Condemns federal court decision granting a preliminary injunction in the case Tanco et al v Haslam. by *Carr J, *McCormick, *Casada, *Brooks K, *Matheny, *Womick, *Matlock, *Holt, *Spivey, *Carter.

Rep. J. Carr moved that the rules be suspended for the immediate introduction of **House Joint Resolution No. 839** pursuant to **Rule No. 77**, which motion prevailed by the following vote:

Ayes 71
Noes..... 22

Representatives voting aye were: Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shepard, Shipley, Sparks, Spivey, Swann, Todd, Travis, Van Huss, Watson, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 71

Representatives voting no were: Akbari, Armstrong, Camper, Cooper, Favors, Fitzhugh, Hardaway, Jernigan, Johnson G, Jones, Love, Miller, Mitchell, Parkinson, Powell, Shaw, Stewart, Tidwell, Towns, Turner J, Turner M, Williams K -- 22

A motion to reconsider was tabled.

MOTION TO PLACE BILL ON CALENDAR

Rep. J. Carr moved that **House Joint Resolution No. 839** be placed on the House Local Government Committee Calendar for April 15, 2014, which motion prevailed.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “no” to “aye” on the motion to suspend the rules on **House Joint Resolution No. 839** and have this statement entered in the Journal: Rep(s). K. Williams.

BILLS WITHDRAWN

On motion of Rep. Halford, **House Joint Resolution No. 1045** was withdrawn from the House, which motion prevailed.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 847 Rep(s). Pitts as prime sponsor(s).

House Bill No. 1293 Rep(s). Ragan, Evans, Littleton, R. Williams, Butt, Towns, J. Turner, Kane, M. White, Hall, Moody, H. Brooks and McManus as prime sponsor(s).

House Bill No. 1452 Rep(s). Roach as prime sponsor(s).

House Bill No. 1528 Rep(s). K. Brooks as prime sponsor(s).

House Bill No. 1564 Rep(s). Roach as prime sponsor(s).

House Bill No. 1898 Rep(s). Hardaway and Powell as prime sponsor(s).

House Bill No. 2030 Rep(s). Casada as prime sponsor(s).

House Bill No. 2037 Rep(s). Rogers as prime sponsor(s).

House Bill No. 2104 Rep(s). K. Brooks as prime sponsor(s).

House Bill No. 2214 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 2266 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 2417 Rep(s). Lamberth as prime sponsor(s).

House Bill No. 2453 Rep(s). Rogers as prime sponsor(s).

House Bill No. 2491 Rep(s). Ragan as prime sponsor(s).

House Bill No. 2530 Rep(s). Sexton as prime sponsor(s).

House Bill No. 2540 Rep(s). Bailey as prime sponsor(s).

ENROLLED BILLS

April 14, 2014

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 1386, 1441, 1488, 1516, 1925, 2314, 2361, 2424, 2441, 2472 and 2502; also House Joint Resolution(s) No(s). 202, 641, 668, 895, 896, 899, 934, 943 and 993; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Interim Chief Engrossing Clerk

**SIGNED
April 14, 2014**

The Speaker announced that she had signed the following: House Joint Resolution(s) No(s). 202, 641, 668, 895, 896, 899, 934, 943 and 993.

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 14, 2014**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 202, 641, 668, 895, 896, 899, 934, 943 and 993; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK
April 14, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 202, 548, 553, 641, 668, 764, 890, 891, 892, 895, 896, 899, 900, 901, 902, 903, 905, 906, 908, 910, 912, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 934, 943 and 993; for his action.

GREG GLASS, Interim Chief Engrossing Clerk

**ENGROSSED BILLS
April 14, 2014**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 1896;

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 14, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1362; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 1362** -- Criminal Offenses - As introduced, creates the continuing offense of sexual abuse of a child which is committing three or more incidents of sexual abuse of a child over more than a 90-day period or five incidents involving two or more victims within a 90-day period; establishes venue and punishment. - Amends TCA Title 39 and Title 40. by *Yager, *Norris. (HB1293 by *Dean, *Shipley, *Lamberth, *Watson, *Faison, *Haynes, *Camper, *Rich, *DeBerry J, *Alexander, *Mitchell, *Rogers, *Weaver, *Jones, *Miller, *Favors, *Coley, *Goins, *Lollar, *Shaw, *Hardaway, *Forgety, *Todd, *Parkinson, *Gilmore, *Swann, *Carr D, *Farmer, *Travis, *Johnson C, *Brooks K, *Powell, *Roach)

3945

MESSAGE FROM THE SENATE
April 14, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No(s). 793; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 793 -- Memorials, Recognition - Recognizes April 2014 as the Month of the Military Child. by *Gresham.

MESSAGE FROM THE SENATE
April 14, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1834; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 1834** -- Education, Higher - As introduced, limits courses state employees can take free of charge at public institutions of higher education under the state employees' fee waiver to 4 credit hours or 120 clock hours courses; allows the use of the fee waiver as partial payment for courses of more than 4 credit hours or 120 clock hours. - Amends TCA Section 8-50-114. by *Gresham, *Niceley. (HB2116 by *Brooks H)

MESSAGE FROM THE SENATE
April 14, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2471; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 2471** -- Education, Higher - As introduced, enacts the "Tennessee Promise Scholarship Act of 2014"; revises certain provisions of the Tennessee HOPE scholarship program. - Amends TCA Title 49, Chapter 4, Part 7 and Title 49, Chapter 4, Part 9. by *Norris, *Campfield. (HB2491 by *McCormick, *Brooks H, *White M, *Forgety, *Kane, *Coley, *White D, *Brooks K, *DeBerry J)

MESSAGE FROM THE SENATE
April 14, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1988; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 1988 -- Banks and Financial Institutions - As introduced, enacts the "Flexible Credit Act". - Amends TCA Title 45. by *Southerland. (*HB1757 by *Sexton)

MESSAGE FROM THE GOVERNOR

April 14, 2014

MADAM SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 937, 1520, 1580, 1606, 1621, 1643, 1672, 1701, 1714, 1742, 1799, 1809, 1863, 1895, 1920, 1922, 1977, 2163, 2183, 2203, 2348, 2444, 2477, 2483, 2504 and 2511; with his approval.

HERBERT H. SLATTERY III, Counsel to the Governor

SIGNED

April 14, 2014

The Speaker announced that she had signed the following: House Bill(s) No(s). 1386, 1441, 1488, 1516, 1925, 2314, 2361, 2424, 2441, 2472 and 2502.

GREG GLASS, Interim Chief Engrossing Clerk

MESSAGE FROM THE SENATE

April 14, 2014

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1386, 1441, 1488, 1516, 1925, 2314, 2361, 2424, 2441, 2472 and 2502; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 14, 2014

MADAM SPEAKER: Senate acceded to request of the House for appointment of conference committee on House Bill No. 1549: Speaker appointed the following members: Gresham, Kelsey, Niceley

RUSSELL A. HUMPHREY, Chief Clerk

ENGROSSED BILLS

April 14, 2014

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 1396, 1554, 1745, 1783, 2097, 2171, 2174, 2229, 2285, 2380 and 2520; also House Joint Resolution(s) No(s). 672, 679, 913, 932, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053 and 1054.

GREG GLASS, Interim Chief Engrossing Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 94

Representatives present were Akbari, Alexander, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Floyd, Forgety, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

RECESS

On motion of Rep. McCormick the House stood in recess until 10:30 a.m., Tuesday, April 15, 2014.